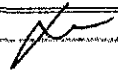


7 JAN 25 PM '07

SENATE

COMMITTEE REPORT NO. 219

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Submitted by the Committee on Local Government on JAN 25 2007

Re : House Bill No. 5930

Recommending its approval with amendments.

Sponsor : Senator Lim

MR. PRESIDENT:

The Committee on Local Government to which was referred House Bill No. 5930, introduced by Representatives Nantes, Gullas, Cari, Figueroa, Martinez, Wacnang, Amante, Salapuddin, Baculio and Pichay, entitled:

**"AN ACT
CONVERTING THE MUNICIPALITY OF TAYABAS IN THE PROVINCE OF QUEZON
INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF TAYABAS"**

has considered the same and has the honor to report it back to the Senate with the recommendation that it be approved with the following amendments:

1. On page 4, line 10, insert the phrase "SANGGUNIANG PANLUNGSOD OF THE" between the words "The" and "City";
2. On page 14, line 11, insert the phrase "CONSISTENT WITH THE SALARY STANDARDIZATION LAW," before the word "Determine";
3. On page 15, line 24, change the semi-colon (;) after the word "indebtedness" to a period (.) and thereafter add the following sentences: "THE APPLICATION FOR LOANS OR OTHER FORMS OF INDEBTEDNESS AND THE TERMS AND CONDITIONS THEREOF SHALL, BEFORE APPROVAL, BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY. ONCE APPROVED, THE CONTRACT COVERING THE LOANS OR OTHER FORMS OF INDEBTEDNESS SHALL BE FURNISHED TO ANY CITY RESIDENT REQUESTING A COPY THEREOF, UPON PAYMENT OF REASONABLE FEES;"
4. On page 16, line 2, change the semi-colon (;) after the word "projects" into a period (.), and then add the following sentences: "THE AUTHORIZATION TO FLOAT BONDS AND OTHER INSTRUMENTS OF INDEBTEDNESS SHALL BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY. ONCE APPROVED, THE CONTRACT COVERING THE FLOATING OF BONDS OR OTHER INSTRUMENTS OF INDEBTEDNESS SHALL BE FURNISHED TO ANY CITY RESIDENT REQUESTING A COPY THEREOF UPON PAYMENT OF REASONABLE FEES;"

5. On page 21, line 27, after the word "DepEd" insert the phrase "THE COMMISSION ON HIGHER EDUCATION (CHED) OR THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY";
6. On page 25, lines 16 and 17, delete the phrase "and twice a month for the sangguniang barangay";
7. On page 30, line 7, delete the phrase "DISQUALIFICATIONS AND" from the title of Article VI;
8. On the same page, line 24, amend the title and paragraph (a) of Section 23 to read as follows:

"SEC. 23. *Permanent Vacancy in the OfficeS of the City Mayor and City Vice Mayor.* – (a) If a permanent vacancy occurs in the office of the city mayor, the city vice mayor [concerned] shall become the city mayor. If a permanent vacancy occurs in the office of the city vice mayor, the highest ranking sangguniang panlungsod member or, in case of his permanent incapacity, the second highest ranking sangguniang panlungsod member shall become the [city mayor or] city vice mayor[, as the case may be]. **IF PERMANENT VACANCIES OCCUR IN BOTH THE OFFICES OF THE CITY MAYOR AND THE CITY VICE MAYOR, THE FIRST AND SECOND HIGHEST RANKING SANGGUNIANG PANLUNGSOD MEMBERS, OR IN CASE OF PERMANENT INCAPACITY OF ONE OR BOTH OF THEM, THE NEXT HIGHEST RANKING SANGGUNIANG PANLUNGSOD MEMBER OR MEMBERS SHALL BECOME THE CITY MAYOR AND THE CITY VICE MAYOR, RESPECTIVELY.** Subsequent vacancies in said offices shall be filled automatically by the other sanggunian members according to their ranking as defined herein.

9. On page 34, line 11, delete the figure " 57" and the words "under Book I" and in lieu thereof insert the figure "327";
10. On page 36, line 13, change the word "may" to "SHALL";
11. On page 41, line 7, delete the word "City" and in lieu thereof, insert the words "UNITS AND BARANGAYS";
12. On page 44, line 20, delete the word "advises" and in lieu thereof, insert the word "ADVISE";
13. On page 47, after line 24, insert the following paragraphs to read as follows:

"(2) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE CITY ADMINISTRATOR SHALL:

(I) ASSIST IN THE COORDINATION OF THE WORK OF ALL THE OFFICIALS OF THE CITY OF TAYABAS, UNDER THE SUPERVISION, DIRECTION, AND CONTROL OF THE CITY MAYOR, AND FOR THIS PURPOSE, HE MAY CONVENE THE CHIEFS OF OFFICES AND OTHER OFFICIALS OF THE CITY;

(II) ESTABLISH AND MAINTAIN A SOUND PERSONNEL PROGRAM FOR THE CITY DESIGNED TO PROMOTE CAREER DEVELOPMENT AND UPHOLD THE MERIT PRINCIPLE IN THE LOCAL GOVERNMENT SERVICE; AND

(III) CONDUCT A CONTINUING ORGANIZATIONAL DEVELOPMENT OF THE CITY OF TAYABAS WITH THE END IN VIEW OF INSTITUTING EFFECTIVE ADMINISTRATIVE REFORMS;"

Renumber the succeeding paragraphs accordingly;

14. On page 48, line 11, after the period (.), insert the following sentence: "THE TERM OF THE CITY LEGAL OFFICER SHALL BE COTERMINOUS WITH THAT OF HIS APPOINTING AUTHORITY;"
15. On the same page, after line 24, insert a new paragraph (3), to read as follows:

"(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE CITY LEGAL OFFICER SHALL:

(I) REPRESENT THE CITY OF TAYABAS IN ALL CIVIL ACTIONS AND SPECIAL PROCEEDINGS WHEREIN THE CITY OR ANY OF ITS OFFICIAL, IN HIS OFFICIAL CAPACITY, IS A PARTY: *PROVIDED*, THAT IN ACTIONS OR PROCEEDINGS WHERE THE CITY IS A PARTY ADVERSE TO THE PROVINCIAL GOVERNMENT OR TO ANOTHER COMPONENT CITY OR MUNICIPALITY, A SPECIAL LEGAL OFFICER MAY BE EMPLOYED TO REPRESENT THE ADVERSE PARTY;

(II) WHEN REQUIRED BY THE CITY MAYOR, OR SANGGUNIANG PANLUNGSOD, DRAFT ORDINANCES, CONTRACTS, BONDS, LEASES AND OTHER INSTRUMENTS, INVOLVING ANY INTEREST OF THE CITY AND PROVIDE COMMENTS AND RECOMMENDATIONS ON ANY INSTRUMENT ALREADY DRAWN;

(III) RENDER HIS OPINION IN WRITING ON ANY QUESTION OF LAW WHEN REQUESTED TO DO SO BY THE CITY MAYOR OR SANGGUNIANG PANLUNGSOD;

(IV) INVESTIGATE OR CAUSE TO BE INVESTIGATED ANY CITY OFFICIAL OR EMPLOYEE FOR ADMINISTRATIVE NEGLECT OR MISCONDUCT IN OFFICE, AND RECOMMEND APPROPRIATE ACTION TO THE CITY, MAYOR OR SANGGUNIANG PANLUNGSOD, AS THE CASE MAY BE;

(V) INVESTIGATE OR CAUSE TO BE INVESTIGATED ANY PERSON, FIRM OR CORPORATION HOLDING ANY FRANCHISE OR EXERCISING ANY PUBLIC PRIVILEGE FOR FAILURE TO COMPLY WITH ANY TERM OR CONDITION IN THE GRANT OF SUCH FRANCHISE OR PRIVILEGE, AND RECOMMENDING APPROPRIATE ACTION TO THE CITY MAYOR OR SANGGUNIANG PANLUNGSOD, AS THE CASE MAY BE;

(VI) WHEN DIRECTED BY THE CITY, MAYOR, OR SANGGUNIANG PANLUNGSOD, INITIATE AND PROSECUTE IN THE INTEREST OF THE CITY OF TAYABAS ANY CIVIL ACTION ON ANY BOND, LEASE OR OTHER CONTRACT UPON ANY BREACH OR VIOLATION THEREOF; AND

(VII) REVIEW AND SUBMIT RECOMMENDATIONS ON ORDINANCES APPROVED AND EXECUTIVE ORDERS ISSUED BY COMPONENT BARANGAYS;"

Renumber the succeeding paragraphs accordingly;

16. On page 49, after line 26, insert a new paragraph (3), to read as follows:

"(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE CITY SOCIAL WELFARE AND DEVELOPMENT OFFICER SHALL:"

(I) IDENTIFY THE BASIC NEEDS OF THE NEEDY, THE DISADVANTAGED AND THE IMPOVERISHED AND DEVELOP AND IMPLEMENT APPROPRIATE MEASURES TO ALLEVIATE THEIR PROBLEMS AND IMPROVE THEIR LIVING CONDITIONS;

(II) PROVIDE RELIEF AND APPROPRIATE CRISIS INTERVENTION FOR VICTIMS OF ABUSE AND EXPLOITATION AND RECOMMEND APPROPRIATE MEASURES TO DETER FURTHER ABUSE AND EXPLOITATION;

(III) ASSIST THE CITY MAYOR IN IMPLEMENTING THE BARANGAY LEVEL PROGRAM FOR THE TOTAL DEVELOPMENT AND PROTECTION OF CHILDREN UP TO SIX (6) YEARS OF AGE;

(IV) FACILITATE THE IMPLEMENTATION OF WELFARE PROGRAMS FOR THE DIFFERENTLY-ABLED, ELDERLY, AND VICTIMS OF DRUG ADDICTION, THE REHABILITATION OF PRISONERS AND PAROLEES, THE PREVENTION OF JUVENILE DELINQUENCY AND SUCH OTHER ACTIVITIES WHICH WOULD ELIMINATE OR MINIMIZE THE ILL-EFFECTS OF POVERTY;

(V) INITIATE AND SUPPORT YOUTH WELFARE PROGRAMS THAT WILL ENHANCE THE ROLE OF THE YOUTH IN NATION-BUILDING; AND

(VI) COORDINATE WITH GOVERNMENT AGENCIES AND NON-GOVERNMENTAL ORGANIZATIONS WHICH HAVE FOR THEIR PURPOSE THE PROMOTION AND PROTECTION OF ALL NEEDY, DISADVANTAGED, UNDERPRIVILEGED OR IMPOVERISHED GROUPS OR INDIVIDUALS, PARTICULARLY THOSE IDENTIFIED TO BE VULNERABLE AND HIGH-RISK TO EXPLOITATION, ABUSE AND NEGLECT;"

Renumber the succeeding paragraphs accordingly;

17. On page 50, after line 26, insert a new paragraph (3), to read as follows:

"(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE CITY VETERINARIAN SHALL:

(I) ADVISE THE CITY MAYOR ON ALL MATTERS PERTAINING TO THE SLAUGHTER OF ANIMALS FOR HUMAN CONSUMPTION AND THE REGULATION OF SLAUGHTER HOUSES;

(II) REGULATE THE KEEPING OF DOMESTIC ANIMALS;

(III) REGULATE AND INSPECT POULTRY, MILK AND DAIRY PRODUCTS FOR PUBLIC CONSUMPTION;

(IV) ENFORCE ALL LAWS AND REGULATIONS FOR THE PREVENTION OF CRUELTY TO ANIMALS; AND

(V) TAKE THE NECCESARY MEASURES TO ERADICATE, PREVENT OR CURE ALL FORMS OF ANIMAL DISEASES;"

Renumber the succeeding paragraphs accordingly;

18. On page 52, after line 7, insert the following phrase:

"(3) IN ADDITION TO THE FORGEOING DUTIES AND FUNCTIONS, THE CITY GENERAL SERVICES OFFICER SHALL:";

19. On the same page, line 8, delete number "3" in parentheses and in lieu thereof, insert the small Roman numeral "I" and then add the following paragraphs:

(II) WITH THE APPROVAL OF THE CITY MAYOR, ASSIGN BUILDING OR LANDSPACE TO CITY OFFICIALS AND OTHER PUBLIC OFFICIALS WHO BY LAW, ARE ENTITLED TO SUCH SPACE;

(III) RECOMMEND TO THE CITY MAYOR THE REASONABLE RENTAL RATES FOR CITY PROPERTIES, WHETHER REAL OR PERSONAL, WHICH WILL BE LEASED TO PUBLIC OR PRIVATE ENTITIES BY THE CITY GOVERNMENT;

(IV) RECOMMEND TO THE CITY MAYOR REASONABLE RENTAL RATES OF PRIVATE PROPERTIES WHICH MAY BE LEASED FOR THE OFFICIAL USE OF THE CITY GOVERNMENT;

(V) MAINTAIN AND SUPERVISE JANITORIAL, SECURITY, GOVERNMENT PUBLIC BUILDINGS AND OTHER REAL PROPERTY, WHETHER OWNED OR LEASED BY THE CITY GOVERNMENT;

(VI) COLLATE AND DISSEMINATE INFORMATION REGARDING PRICES, SHIPPING AND OTHER COSTS OF SUPPLIES AND OTHER ITEMS COMMONLY USED BY THE CITY GOVERNMENT:

(VII) PERFORM ARCHIVAL AND RECORD MANAGEMENT WITH RESPECT TO RECORDS OF OFFICES AND DEPARTMENTS OF THE CITY GOVERNMENT; AND

(VIII) PERFORM ALL OTHER FUNCTIONS PERTAINING TO SUPPLY AND PROPERTY MANAGEMENT AND ENFORCE POLICIES ON RECORDS CREATION, MAINTENANCE AND DISPOSAL;"

Renumber the succeeding paragraphs accordingly;

20. On page 53, after line 16, insert a new paragraph (3), to read as follows:

(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE CITY ENVIRONMENT AND NATURAL RESOURCES OFFICER SHALL;

(I) ESTABLISH, MAINTAIN, PROTECT AND PRESERVE COMMUNAL FORESTS, WATERSHEDS, TREE PARKS, MANGROVES, GREENBELTS AND SIMILAR FOREST PROJECTS AND COMMERCIAL FORESTS, LIKE INDUSTRIAL TREE FARMS AND AGRO-FORESTRY PROJECTS;

(II) PROVIDE EXTENSION SERVICES TO THE BENEFICIARIES OF FOREST DEVELOPMENT PROJECTS AND TECHNICAL, FINANCIAL, AND INFRASTRUCTURE ASSISTANCE;

(III) MANAGE AND MAINTAIN SEEDBANKS AND PRODUCE SEEDLINGS FOR FOREST AND TREE PARKS;

(IV) RENDER ASSISTANCE FOR NATURAL RESOURCES-RELATED CONSERVATION AND UTILIZATION ACTIVITIES CONSISTENT WITH ECOLOGICAL BALANCE;

(V) PROMOTE THE SMALL-SCALE MINING AND UTILIZATION OF MINERAL RESOURCES PARTICULARLY MINING OF GOLD; AND

(VI) COORDINATE WITH GOVERNMENT AGENCIES AND NON- GOVERNMENTAL ORGANIZATIONS IN THE IMPLEMENTATION OF MEASURES TO PREVENT AND CONTROL LAND, AIR AND WATER POLLUTION WITH THE ASSISTANCE OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES;"

Renumber the succeeding paragraphs accordingly;

21. On page 54, after line 17, insert a new paragraph (3), to read as follows:

"(3) IN ADDITION TO FOREGOING DUTIES AND FUNCTIONS, THE CITY ARCHITECT SHALL:

(I) PREPARE AND RECOMMEND FOR CONSIDERATION OF THE SANGGUNIANG PANLUNGSOD THE ARCHITECTURAL PLAN AND DESIGN FOR THE CITY OR A PART THEREOF, INCLUDING THE RENEWAL OF SLUMS AND BLIGHTED AREAS, LAND RECLAMATION ACTIVITIES, THE GREENING OF LAND, AND APPROPRIATE PLANNING OF MARINE AND FORESHORE AREAS;

(II) REVIEW AND RECOMMEND FOR APPROPRIATE ACTION OF THE SANGGUNIANG PANLUNGSOD OR CITY MAYOR THE ARCHITECTURAL PLANS AND DESIGN SUBMITTED BY GOVERNMENT AND NON-GOVERNMENT ENTITIES OR INDIVIDUALS, PARTICULARLY THOSE UNDEVELOPED, UNDERDEVELOPED AND POORLY-DESIGNED AREAS; AND

(III) COORDINATE WITH GOVERNMENT AND NON-GOVERNMENT ENTITIES AND INDIVIDUALS INVOLVED IN THE AESTHETICS AND THE MAXIMUM UTILIZATION OF LAND AND WATER WITHIN THE JURISDICTION OF THE CITY, COMPATIBLE WITH ENVIRONMENTAL INTEGRITY AND ECOLOGICAL BALANCE;"

Renumber the succeeding paragraphs accordingly;

22. On page 55, line 7, change the conjunction "or" between the words "television" and "broadcast" to a comma (,) and insert the phrase "OR OTHER FORMS OF MASS" between the words "broadcast" and "media";

23. On the same page, after line 22, insert a new paragraph (3), to read as follows:

"(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE CITY INFORMATION OFFICER SHALL:

(I) PROVIDE RELEVANT, ADEQUATE AND TIMELY INFORMATION TO THE CITY AND ITS RESIDENTS;

(II) FURNISH INFORMATION AND DATA ON THE CITY TO GOVERNMENT AGENCIES OR OFFICES AS MAY BE REQUIRED BY LAW OR ORDINANCE AND NON-GOVERNMENTAL ORGANIZATIONS TO BE FURNISHED TO SAID AGENCIES AND ORGANIZATIONS; AND

(III) MAINTAIN EFFECTIVE LIAISON WITH THE VARIOUS SECTORS OF THE COMMUNITY ON MATTERS AND ISSUES THAT AFFECT THE LIVELIHOOD AND THE QUALITY OF LIFE OF THE INHABITANTS AND ENCOURAGE SUPPORT FOR PROGRAMS OF THE LOCAL AND NATIONAL GOVERNMENT;"

Renumber the succeeding paragraphs accordingly;

24. On page 57, after line 2, insert insert a new paragraph (3), to read as follows:

"(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS THE CITY COOPERATIVES OFFICER SHALL;

(I) ASSIST IN THE ORGANIZATION OF COOPERATIVES;

(II) PROVIDE TECHNICAL AND OTHER FORMS OF ASSISTANCE TO EXISTING COOPERATIVES TO ENHANCE THEIR VIABILITY AS AN ECONOMIC ENTERPRISE AND SOCIAL ORGANIZATION; AND

(III) ASSIST COOPERATIVES IN ESTABLISHING LINKAGES WITH GOVERNMENT AGENCIES AND NON-GOVERNMENT ORGANIZATIONS INVOLVED IN THE PROMOTION AND INTEGRATION OF THE CONCEPT OF COOPERATIVES IN THE LIVELIHOOD OF THE PEOPLE AND OTHER COMMUNITY ACTIVITIES;"

Renumber the succeeding paragraphs accordingly;

25. On page 58, line 8, delete the conjunction "and", and thereafter insert a new paragraph (3) after line 8, to read as follows:

"(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE CITY POPULATION OFFICER SHALL:

(I) ASSIST THE CITY MAYOR IN THE IMPLEMENTATION OF THE CONSTITUTIONAL PROVISIONS RELATIVE TO POPULATION DEVELOPMENT AND THE PROMOTION OF RESPONSIBLE PARENTHOOD;

(II) ESTABLISH AND MAINTAIN AN UPDATED DATA BANK FOR PROGRAM OPERATIONS, DEVELOPMENT PLANNING AND AN EDUCATIONAL PROGRAM TO ENSURE THE PEOPLE'S PARTICIPATION IN AND UNDERSTANDING OF POPULATION DEVELOPMENT; AND

(III) IMPLEMENT APPROPRIATE TRAINING PROGRAMS RESPONSIVE TO THE CULTURAL HERITAGE OF THE INHABITANTS; AND"

Renumber the succeeding paragraphs accordingly;

26. On page 59, line 10, delete the word "considered" and in lieu thereof, insert the word to "CONDUCTED";
27. On page 60, line 23, delete the phrase "graduate of a four-year course" and in lieu thereof, the phrase "HOLDER OF A COLLEGE DEGREE"; and
28. On page 61, line 2, after the period, add the following sentence: "LIKEWISE, THE CITY SHALL ENSURE THAT PROPER SEPARATE DETENTION CENTERS FOR JUVENILES AND WOMEN ARE PROVIDED FOR."

Respectfully submitted:


ALFREDO S. LIM
Chairman

Mazamed.

AQUILINO Q. PIMENTEL JR.
Minority Leader
and Vice-Chairman

Members:

Mazamed.
Rodolfo G. Biazon
RODOLFO G. BIAZON

Mazamed.
Pa. S. Cayetano
COMPANERA PIA S. CAYETANO

Franklin M. Drilon
FRANKLIN M. DRILON

Juan Ponce Enrile
JUAN PONCE ENRILE

RICHARD J. GORDON

MANUEL "LITO" M. LAPID

Ramon B. Magsaysay Jr.
RAMON B. MAGSAYSAY JR.

Ralph G. Recto
RALPH G. RECTO

Ramon Bong Revilla Jr.
RAMON BONG REVILLA JR.

Jinggoy Ejercito Estrada
JINGGOY EJERCITO ESTRADA

Panfilo M. Lacson
PANFILO M. LACSON

M.A. Madrigal
M.A. MADRIGAL

SERGIO OSMEÑA III

Ex-Officio Members:

Juan M. Flavier
JUAN M. FLAVIER
President Pro Tempore

Francis N. Pangilinan
FRANCIS N. PANGILINAN
Majority Leader

Hon. MANNY VILLAR
President
Senate of the Philippines
Pasay City

1 involving questions of territorial jurisdiction between the City of Tayabas and
2 the adjoining local government units (LGUs): *Provided, however*, That the
3 territorial jurisdiction of the disputed area or areas shall remain with the local
4 government unit, which has existing administrative supervision over said area
5 or areas until the final resolution of the case.

6 SEC. 3. *Corporate Powers of the City.* – The City constitutes a
7 political body corporate and, as such, is endowed with the attributes of
8 perpetual succession and possessed of the powers which pertains to a
9 municipal corporation to be exercised in conformity with the provision of this
10 Charter. The City shall have the following corporate powers:

- 11 (a) To have a continuous succession in its corporate name;
- 12 (b) To sue and be sued;
- 13 (c) To have and use a corporate seal;
- 14 (d) To acquire, hold and convey real or personal property;
- 15 (e) To enter into any contracts and/or agreements; and
- 16 (f) To exercise such other powers, prerogatives or authority subject to
17 the limitations provided in this Act or laws.

18 SEC. 4. *General Powers.* – The City shall have a common seal and
19 may alter the same at pleasure. It shall exercise the powers to levy taxes; to
20 close and open roads, streets, alleys, parks or squares; to take, purchase,
21 receive, hold, lease, convey and dispose of real and personal property for the
22 general interests of the City; to expropriate or condemn private property for
23 public use; to contract and be contracted with, to sue and be sued; to prosecute
24 and defend to final judgment and execution suits wherein the City is involved
25 or interested in and to exercise all the powers as are granted to corporations or
26 as hereinafter conferred.

1 a city engineer, a city health officer, a city civil registrar, a city administrator, a
2 city legal officer, a city social welfare and development officer, a city
3 veterinarian and a city general services officer.

4 (b) In addition thereto, the city mayor may appoint an environment and
5 natural resources officer, a city architect, a city information officer, a city
6 cooperatives officer, a city population officer and a city agriculturist.

7 (c) There shall be established in the City a city fire station to be
8 headed by a city fire marshal, a city jail to be headed by a city jail warden, a
9 city school division to be headed by a city school division superintendent.

10 (d) The City of Tayabas may:

11 (1) Maintain existing offices not mentioned in subsections (a), (b), and
12 (c) hereof;

13 (2) Create such other offices as may be necessary to carry out the
14 purposes of the City; or

15 (3) Consolidate the functions of any office with those of another in the
16 interest of efficiency and economy

17 (e) Unless otherwise provided herein, heads of departments and offices
18 shall be appointed by the city mayor with the concurrence of the majority of all
19 the members of the sangguniang panlungsod, subject to civil service law, rules
20 and regulations. The sangguniang panlungsod shall act on the appointment
21 within fifteen (15) days from the day of its submission, otherwise the same
22 shall be deemed confirmed.

23 ARTICLE III

24 THE CITY MAYOR AND CITY VICE MAYOR

25 SEC. 8. *The City Mayor.* – (a) The city mayor shall be the chief
26 executive of the City. He shall be elected at large by the qualified voters of the
27 City. No person shall be eligible for the position of city mayor unless at the

1 time of the election: he is at least twenty-one (21) years of age; an actual
2 resident of the City for at least one year prior to his election and a qualified
3 voter therein. He shall hold office for three years, unless sooner removed, and
4 shall receive a minimum monthly compensation corresponding to Salary Grade
5 thirty (30) as prescribed under Republic Act No. 6758, otherwise known as the
6 Salary Standardization Law, and the implementing guidelines issued pursuant
7 thereto.

8 The city mayor, as the chief executive of the city government, shall
9 exercise such powers and perform such duties and functions as provided
10 herein.

11 (b) For efficient, effective and economical governance the purpose of
12 which is the general welfare of the City and its inhabitants, the city mayor
13 shall:

14 (I) Exercise those powers expressly granted to him by law, those
15 necessarily implied therefrom, as well as powers necessary, appropriate or
16 incidental for the efficient and effective governance of the City, and those
17 which are essential to the promotion of the general welfare:

18 (i) Determine the guidelines of city policies and be responsible to the
19 sangguniang panlungsod for the program of government;

20 (ii) Direct the formulation of the city development plan, with the
21 assistance of the city development council, and upon approval thereof by the
22 sangguniang panlungsod, implement the same;

23 (iii) Present the program of government and propose policies and
24 projects for the consideration of the sangguniang panlungsod at the opening of
25 the regular session of the sangguniang panlungsod every calendar year and as
26 often as may be deemed necessary as the general welfare of the inhabitants and
27 the needs of the city government may require;

1 (iv) Initiate and propose legislative measures to the sangguniang
2 panlungsod and as often as may be deemed necessary, provide such
3 information and data needed or requested by said sanggunian in the
4 performance of its legislative functions;

5 (v) Appoint all officials and employees whose appointments are not
6 otherwise provided for in this Act, as well as those he may be authorized by
7 law to appoint;

8 (vi) Represent the City in all its business transactions and sign on its
9 behalf all bonds, contracts and obligations, and such other documents upon
10 authority of the sangguniang panlungsod or pursuant to law or ordinance;

11 (vii) Carry out, such emergency measures as may be necessary during
12 and in the aftermath of man-made and natural disasters and calamities;

13 (viii) Determine the time, manner and place of payments of salaries or
14 wages of the officials and employees of the City, in accordance with law or
15 ordinance;

16 (ix) Allocate and assign office space to the City and other officials and
17 employees who, by law or ordinance are entitled to such space in the city hall
18 and other buildings owned or leased by the city government;

19 (x) Ensure that all executive officials and employees of the City
20 faithfully discharge their duties and functions as provided by law and this Act,
21 and cause to be instituted administrative or judicial proceedings against any
22 official or employee of the City who may have committed an offense in the
23 performance of his official duties;

24 (xi) Examine the books, records and other documents of all offices,
25 officials, agents or employees of the City and, in aid of his executive powers
26 and authority, require all national officials and employees stationed in or

1 assigned to the City to make available to him such books, records and other
2 documents in their custody except those classified by law as confidential;

3 (xii)Furnish copies of executive orders issued by him to the Office of
4 the President and the Office of the Secretary of the Department of the Interior
5 and Local Governments (DILG) within seventy-two (72) hours after their
6 issuance;

7 (xiii) Visit component barangays of the City at least once every six
8 months to deepen his understanding of problems and conditions, listen and
9 give appropriate counsel to local officials and inhabitants of general laws and
10 ordinances which especially concern them, and otherwise conduct visits and
11 inspections to ensure that the governance of the City will improve the quality
12 of life of the inhabitants;

13 (xiv) Act on leave applications of officials and employees appointed by
14 him and the commutation of the monetary value of their leave credits in
15 accordance with law;

16 (xv) Authorize official trips of city officials and employees outside of
17 the City for a period not exceeding thirty (30) days: *Provided*, That the trips
18 abroad or for a longer period may be authorized in accordance with the Local
19 Government Code of 1991;

20 (xvi) Call upon any national official or employee stationed in or
21 assigned to the City to advise him on matters affecting the City and to make
22 recommendations thereon; coordinate with said officials and employees in the
23 formulation and implementation of plans, programs and projects; and, when
24 appropriate, initiate an administrative or judicial action against a national
25 government official or employee who may have committed an offense in the
26 performance of his official duties while stationed in or assigned to the City;

1 (xvii) Authorize payment for medical care, necessary transportation,
2 subsistence, hospital or medical fees of city officials and employees who are
3 injured while in the performance of their official duties and functions, subject
4 to availability of funds;

5 (xviii) Solemnize marriages, any provision of law to the contrary
6 notwithstanding;

7 (xix) Conduct an annual palaring panlungsod, which shall feature
8 traditional sports and disciplines included in national and international games,
9 in coordination with the Department of Education (DepEd); and

10 (xx) Submit to the provincial governor the following reports: (a) an
11 annual report containing a summary of all matters pertinent to the
12 management, administration, and development of the City and all information
13 and data relative to its political, social and economic conditions and, (b)
14 supplemental reports when unexpected events and situations arise at any time
15 during the year, particularly when man-made or natural disasters or calamities
16 affect the general welfare of the City.

17 (2) Enforce all laws and ordinances relative to the governance of the
18 City and in the exercise of its appropriate corporate powers, as well as
19 implement all approved policies, programs, projects, services and activities of
20 the City.

21 (i) Ensure that the acts of the City's component barangays and of its
22 officials and employees are within the scope of their prescribed powers, duties
23 and functions;

24 (ii) Call conventions, conferences, seminars, or meetings of elective or
25 appointive officials of the City, including national officials and employees
26 stationed in or assigned to the City, at such time and place and on such subject

1 as he may deem important for the promotion of the general welfare of the local
2 government unit and its inhabitants;

3 (iii) Issue such executive orders for the faithful and appropriate
4 enforcement and execution of laws and ordinances;

5 (iv) Be entitled to carry the necessary firearms within his territorial
6 jurisdiction;

7 (v) Act as the deputized representative of the National Police
8 Commission, formulate the peace and order plan of the City, upon its approval,
9 implement the same; and as such exercise general and operational control and
10 supervision over the police forces in the City in accordance with Republic Act
11 No. 6975 otherwise known as the Philippine National Police Law; and

12 (vi) Call upon the appropriate law enforcement agencies to suppress
13 disorder, riot, lawless, violence, rebellion or sedition, or apprehend violators
14 of the law when public interest so requires and the city police forces are
15 inadequate to cope with the situation or the violators.

16 (3) Initiate and maximize the generation of resources and revenues, and
17 apply the same to the implementation of development plans, program
18 objectives and priorities, particularly those resources and revenues
19 programmed for agro-industrial development and countryside growth and
20 progress:

21 (i) Require each head of an office or department to prepare and submit
22 an estimate of appropriations for the ensuing calendar year, in accordance with
23 the budget preparation process and in accordance with the provisions of
24 Republic Act No. 7160, otherwise known as the Local Government Code of
25 1991;

1 (ii) Prepare and submit to the sanggunian for approval the executive
2 and supplemental budgets of the City for the ensuing calendar year in the
3 manner provided for under the Local Government Code of 1991;

4 (iii) Ensure that all taxes and other revenues of the City are collected,
5 and that city funds are applied to the payment of expenses and settlement of
6 obligations of the City, in accordance with law or ordinance;

7 (iv) Issue licenses and permits and suspend or revoke the same for any
8 violation of the conditions upon which said licenses or permits had been
9 issued, pursuant to law or ordinance;

10 (v) Issue permits, without need of approval therefore from any national
11 agency, for the holding of activities for any charitable or welfare purpose,
12 excluding prohibited games of chance or shows contrary to law, public policy
13 and public morals;

14 (vi) Require owners of illegally constructed houses, buildings or other
15 structures to obtain the necessary permit, subject to such fines and penalties as
16 may be imposed by law or ordinance, or to make necessary changes in the
17 construction of the same when said construction violates any law or ordinance,
18 or to order the demolition or removal of said house, building or structure
19 within the period prescribed by law or ordinance;

20 (vii) Adopt adequate measures to safeguard and conserve land, mineral,
21 forest and other resources of the City;

22 (viii) Provide efficient and effective property and supply management in
23 the City; and protect the funds, credits, rights and other properties of the City;
24 and

25 (ix) Institute or cause to be instituted administrative or judicial
26 proceedings for violation of ordinances in the collection of taxes, fees or
27 charges, and for the recovery of funds and property; and cause the City to be

1 defended against all suits to ensure that its interests, resources and rights shall
2 be adequately protected.

3 (4) Ensure the delivery of basic services and the provision of adequate
4 facilities and, in addition thereto, shall:

5 (i) Ensure that the construction and repair of roads and highways
6 funded by the national government shall be, as far as practicable, carried out in
7 a spatially contiguous manner and in coordination with the construction and
8 repair of the roads and bridges of the City; and

9 (ii) Coordinate the implementation of technical services, including
10 public works and infrastructure programs, rendered by national offices; and,

11 (5) Perform such other duties and functions and exercise such other
12 powers, as provided for under the Local Government Code of 1991, and those
13 that are prescribed by law or ordinance.

14 (c) During his incumbency, the city mayor shall hold office in the city
15 hall.

16 SEC. 9. *The City Vice Mayor.* – There shall be a city vice mayor who
17 shall be elected in the same manner as the city mayor and shall at the time of
18 his election, possess the same qualifications as the city mayor. He shall hold
19 office for three years, unless sooner removed, and shall receive a monthly
20 compensation corresponding to Salary Grade twenty-six (26) as prescribed
21 under the Salary Standardization Law and the implementing guidelines issued
22 pursuant thereto.

23 The city vice mayor shall:

24 (1) Be the presiding officer of the sangguniang panlungsod and sign all
25 warrants drawn on the city treasury for all expenditures appropriated for the
26 operation of the sangguniang panlungsod;

1 (2) Subject to civil service law, rules and regulations, appoint all
2 officials and employees of the sangguniang panlungsod, except those whose
3 manner of appointment is specifically provided for under existing laws;

4 (3) Assume the office of the city mayor for the unexpired term of the
5 latter in the event of permanent vacancy;

6 (4) Exercise the powers and perform the duties and functions of the
7 city mayor in cases of temporary vacancy; and

8 (5) Perform such other duties and functions and exercise such other
9 powers as provided for under the Local Government Code of 1991, and those
10 that are prescribed by law or ordinance.

11 ARTICLE IV

12 THE SANGGUNIANG PANLUNGSOD

13 SEC. 10. *Composition.* – (a) The sangguniang panlungsod, the
14 legislative body of the City, shall be composed of the city vice mayor as the
15 presiding officer, the regular sanggunian members, the president of the city
16 chapter of the liga ng mga barangay, the president of the panlungsod na
17 pederasyon ng mga sangguniang kabataan and the sectoral representatives, as
18 members.

19 (b) In addition thereto, there shall be three sectoral representatives: one
20 from the women; and, as shall be determined by the sangguniang panlungsod
21 within ninety (90) days prior to the holding of the local elections, one from the
22 agricultural or industrial workers; and one from the other sectors, including the
23 urban poor or disabled persons.

24 (c) The regular members of the sangguniang panlungsod and the
25 sectoral representatives shall be elected in the manner as may be provided for
26 by law.

1 SEC. 11. *Powers, Duties, Functions and Compensation.* – (a) The
2 sangguniang panlungsod, as the legislative body of the City, shall enact
3 ordinances, approve resolutions and appropriate funds for the general welfare
4 of the City and its inhabitants pursuant to Section 16 of the Local Government
5 Code and in the proper exercise of the corporate powers of the City as
6 provided for under Section 22 of the Local Government Code, and shall:

7 (1) Approve ordinances and pass resolutions necessary for an efficient
8 and effective city government, and in this connection, shall:

9 (i) Review all ordinances approved by the sangguniang barangay and
10 executive orders issued by the punong barangay to determine whether these are
11 within the scope of the prescribed powers of the sanggunian and of the punong
12 barangay;

13 (ii) Maintain peace and order by enacting measures to prevent and
14 suppress lawlessness, disorder, riot, violence, rebellion or sedition and impose
15 penalties for the violation of said ordinance;

16 (iii) Approve ordinances imposing a fine not exceeding Five thousand
17 pesos (P5,000.00) or an imprisonment for a period not exceeding one year, or
18 both, at the discretion of the court, for violation of a city ordinance;

19 (iv) Adopt measures to protect the inhabitants of the City from the
20 harmful effects of man-made or natural disasters and calamities and to provide
21 relief services and assistance for victims during and in the aftermath of said
22 disasters or calamities and in their return to productive livelihood following
23 said events;

24 (v) Enact ordinances intended to prevent, suppress and impose
25 appropriate penalties for habitual drunkenness in public places, vagrancy,
26 mendicancy, prostitution, establishment and maintenance of houses of ill-
27 repute, gambling and other prohibited games of chance, fraudulent devices and

1 ways to obtain money or property, drug addiction, maintenance of drug dens,
2 drug pushing, juvenile delinquency, the printing, distribution or exhibition of
3 obscene or pornographic materials or publications, and such other activities
4 inimical to the welfare and morals of the inhabitants of the City;

5 (vi) Protect the environment and impose appropriate penalties for acts
6 which endanger the environment and such other activities which result in
7 pollution, acceleration of or eutrophication of ecological imbalance;

8 (vii) Subject to the provisions of the Local Government Code and the
9 pertinent laws, determine the powers and duties of officials and employees of
10 the City;

11 (viii) Determine the positions and the salaries, wages, allowances and
12 other emoluments and benefits of officials and employees paid wholly or
13 mainly from city funds and provide for expenditures necessary for the proper
14 conduct of programs, projects, services and activities of the city government;

15 (ix) Authorize the payment of compensation to a qualified person not in
16 the government service who fills a temporary vacancy in a concurrent capacity
17 at the rate authorized by law;

18 (x) Provide a mechanism and the appropriate funds therefor, to ensure
19 the safety and protection of all city government property, public documents or
20 records such as those relating to property inventory, land ownership, record of
21 births, marriages, deaths, assessments, taxation, accounts, business permits and
22 such other records and documents of public interest in the offices and
23 departments of the government;

24 (xi) When the finances of the city government allow, provide for
25 additional allowances and other benefits to judges, prosecutors, public
26 elementary and high school teachers, and other national government officials
27 stationed in or assigned to the City;

1 (xii) Provide legal assistance to barangay officials who, in the
2 performance of their official duties or on the occasion thereof, have to initiate
3 judicial proceedings or defend themselves against legal actions; and

4 (xiii) Provide for group insurance or additional insurance coverage for all
5 barangay officials, including members of barangay tanod brigades and other
6 service units, with public or private insurance companies, when the finances of
7 the city government allows said coverage.

8 (2) Generate and maximize the use of resources and revenues for the
9 development plans, program objectives and priorities of the City, with
10 particular attention to agro-industrial development and city-wide growth and
11 progress:

12 (i) Approve the annual and supplemental budgets of the city
13 government and appropriate funds for specific programs, projects, services and
14 activities of the City, or for other purposes not contrary to law, in order to
15 promote the general welfare of the City and its inhabitants;

16 (ii) Subject to the provisions of Book II of the Local Government Code
17 and the applicable laws, and upon the majority vote of all the members of the
18 sangguniang panlungsod, enact ordinances levying taxes, fees and charges,
19 prescribing the rates thereof for general and specific purposes and granting tax
20 exemption, incentive or relief;

21 (iii) Subject to the provisions of Book II of the Local Government Code
22 and upon the majority vote of all the members of the sangguniang panlungsod,
23 authorize the city mayor to negotiate and contract loans and other forms of
24 indebtedness;

25 (iv) Subject to the provisions of Book II of the Local Government Code
26 and applicable laws, and upon the majority vote of all the members of the
27 sangguniang panlungsod, enact ordinances authorizing the floating of bonds or

1 other instruments of indebtedness, for the purpose of raising funds to finance
2 development projects;

3 (v) Appropriate funds for the construction and maintenance or the
4 rental of buildings for the use of the City, and upon the majority vote of all the
5 members of the sangguniang panlungsod, authorize the city mayor to lease to
6 private parties such public buildings held in a proprietary capacity, subject to
7 existing laws, rules and regulations;

8 (vi) Prescribe reasonable limits and restraints on the use of property
9 within the jurisdiction of the City;

10 (vii) Adopt a comprehensive land-use plan for the City and that, the
11 formulation, adoption or modification of said plan shall be in coordination
12 within the approved provincial comprehensive land-use plan;

13 (viii) Reclassify lands within the jurisdiction of the City, subject to the
14 pertinent provisions of the Local Government Code;

15 (ix) Enact integrated zoning ordinances in consonance with the
16 approved comprehensive land-use plan, subject to existing laws, rules and
17 regulations; establish fire limits or zones, particularly in populous centers; and
18 regulate the construction, repair or modification of buildings within said fire
19 limits or zones in accordance with the provisions of the Fire Code;

20 (x) Subject to national law, process and approve subdivision plans for
21 residential, commercial or industrial purposes and other development
22 purposes, and to collect processing fees and other charges, the proceeds of
23 which shall accrue entirely to the City: *Provided, however,* That where
24 approval of a national agency or office is required, said approval shall not be
25 withheld for more than thirty (30) days from receipt of the application. Failure
26 to act on the application within the period stated above shall be deemed as
27 approval thereof;

1 (xi) With the concurrence of at least two-thirds (2/3) of all the members
2 of the sangguniang panlungsod, grant tax exemptions, incentives or relief to
3 entities engaged in community growth-inducing industries, subject to the
4 provisions of the Local Government Code;

5 (xii) Grant loans or provide grants to other local government units or to
6 national, provincial and city charitable, benevolent or educational institutions:
7 *Provided*, That said institutions are operated and maintained within the City;

8 (xiii) Regulate the numbering of residential, commercial and other
9 buildings; and

10 (xiv) Regulate the inspection, weighing and measuring of articles of
11 commerce.

12 (3) Subject to the provisions of Book II of the Local Government
13 Code, enact ordinances, granting franchises and authorizing the issuance of
14 permits or licenses, upon such conditions and for such purposes intended to
15 promote the general welfare of the inhabitants of the City and, pursuant to this
16 legislative authority, shall:

17 (i) Fix and impose reasonable fees and charges for all services
18 rendered by the city government to private persons or entities;

19 (ii) Regulate or fix license fees for any business or practice of
20 profession within the City and the conditions under which the license for said
21 business or practice of profession may be revoked and enact ordinances
22 levying taxes thereon;

23 (iii) Provide for and set the terms and conditions under which public
24 utilities owned by the City shall be operated by the city government, and
25 prescribe the conditions under which the same may be leased to private
26 persons or entities, preferably cooperatives;

1 (iv) Regulate the display of and fix the license fees for signs, signboards
2 or billboards at the place or places where the profession or business advertised
3 thereby is, in whole or in part, conducted;

4 (v) Any law to the contrary notwithstanding, authorize and license the
5 establishment, operation and maintenance of cockpits, and regulate
6 cockfighting and commercial breeding of gamecocks: *Provided*, That existing
7 rights should not be prejudiced;

8 (vi) Subject to the guidelines prescribed by the Department of
9 Transportation and Communications, regulate the operation of tricycles and
10 grant franchises for the operation thereof within the territorial jurisdiction of
11 the City; and

12 (vii) Upon approval by a majority vote of all the members of the
13 sangguniang panlungsod, grant a franchise to any person, partnership,
14 corporation or cooperative to do business within the City; establish, construct,
15 operate and maintain markets or slaughterhouses; or undertake such other
16 activities within the City as may be allowed by existing laws: *Provided*, That
17 cooperatives shall be given preference in the grant of such franchise.

18 (4) Regulate activities relative to the use of land, buildings and
19 structures within the City in order to promote the general welfare and, for said
20 purpose, shall:

21 (i) Declare, prevent or abate any nuisance;

22 (ii) With the concurrence of a majority of the members of the
23 sangguniang panlungsod, a quorum being present, deny the entry of legalized
24 gambling by ordinance into any part of the City or regulate its location in the
25 City;

26 (iii) Require that buildings and the premises thereof and any land within
27 the City be kept and maintained in a sanitary condition; impose penalties for

1 any violation thereof; or, upon failure to comply with said requirement, have
2 the work done at the expense of the owner, administrator or tenant concerned;
3 or require the filling up of any lands or premises to a grade necessary for
4 proper sanitation;

5 (iv) Regulate the disposal of clinical and other wastes from hospitals,
6 clinics and other similar establishments;

7 (v) Regulate the establishment, operation and maintenance of cafes,
8 restaurants, beerhouses, hotels, motels, inns, pension houses, lodging houses
9 and other similar establishments, including tourist guides and transports;

10 (vi) Regulate the sale, giving away or dispensing of any intoxicating
11 malt, *vino*, mixed or fermented liquors at any retail outlets;

12 (vii) Regulate the establishment and provide for the inspection of steam
13 boilers or any heating device in buildings and the storage of inflammable and
14 highly combustible materials within the City;

15 (viii) Regulate the establishment, operation and maintenance of any
16 entertainment or amusement facilities, including the theatrical performances,
17 circuses, billiard pools, public dancing schools, public dance halls, sauna
18 baths, massage parlors and other places for entertainment or amusement;
19 regulate such other events or activities for amusement or entertainment,
20 particularly those which tend to disturb the community or annoy the
21 inhabitants, or require the suspension or suppression of the same; or prohibit
22 certain forms of amusement or entertainment in order to protect the social and
23 moral welfare of the community;

24 (ix) Provide for the impounding of stray animals; regulate the keeping
25 of animals in homes or as part of a business, and the slaughter, sale or
26 disposition of the same; and adopt measures to prevent and penalize cruelty to
27 animals; and

1 (x) Regulate the establishment, operation and maintenance of funeral
2 parlors and the burial or cremation of the dead, subject to existing laws, rules
3 and regulations.

4 (5) Approve ordinances which shall ensure the efficient and effective
5 delivery of the basic services and facilities as provided for under the Local
6 Government Code and, in addition to said services and facilities, shall:

7 (i) Provide for the establishment, maintenance, protection and
8 conservation of tree parks and greenbelts;

9 (ii) Establish markets, slaughterhouses or animal corrals and authorize
10 the operation thereof by the city government; and regulate the construction and
11 operation of private markets, talipapas or other similar buildings and
12 structures;

13 (iii) Regulate the preparation and sale of meat, poultry, fish, vegetables,
14 fruits, fresh dairy products and other foodstuffs for public consumption;

15 (iv) Regulate the use of streets, avenues, alleys, sidewalks, bridges,
16 parks and other public places and approve the construction, improvement,
7 repair and maintenance of the same; establish bus and vehicle stops and
8 terminals or regulate the use of the same by privately-owned vehicles which
9 serve the public; regulate garages and operation of conveyances for hire;
0 designate stands to be occupied by public vehicles when not in use; regulate
1 the putting up of signs, signposts, awnings and awning posts on the streets;
2 and provide for the lighting, cleaning and sprinkling of streets and public
3 places;

4 (v) Regulate traffic on all streets and bridges, prohibit encroachments
5 or obstacles thereon and, when necessary in the interest of public welfare,
6 authorize the removal of encroachments and illegal constructions in public
7 places;

1 (vi) Subject to existing laws, establish and provide for the maintenance,
2 repair and operation of an efficient waterworks system to supply water for the
3 inhabitants and to purify the source of the water supply; regulate the
4 construction, maintenance, repair and use of hydrants, pumps, cisterns and
5 reservoirs; protect the purity and quantity of the water supply of the City and,
6 for this purpose, extend the coverage of appropriate ordinances over all
7 territory within the drainage area of said water supply and within one hundred
8 meters (100 m.) of the reservoir, canal, conduit, aqueduct, pumping station, or
9 watershed used in connection with the water service; and regulate the
10 consumption, use or wastage of water and fix and collect charges therefor;

11 (vii) Regulate the drilling and excavation of the ground for the laying
12 of water, gas, sewer, and other pipes and the construction, repair and
13 maintenance of public drains, sewers, cesspools, tunnels and similar structures;
14 regulate the placing of poles and the use of crosswalks, curbs and gutters;
15 adopt measures to ensure public safety against open canals, manholes, live
16 wires and other similar hazards to life and property; and regulate the
17 construction and use of private water closets, privies and other similar
18 structures in buildings and homes;

19 (viii) Regulate the placing, stringing, attaching, installing, repair and
20 construction of all gas mains, electric telegraph and telephone wires, conduits,
21 meters and other apparatus; and provide for the correction, condemnation or
22 removal of the same when found to be dangerous to the welfare of the
23 inhabitants;

24 (ix) Subject to the availability of funds and the existing laws, rules and
25 regulations, establish and provide for the operation of vocational and technical
26 schools and similar post-secondary institutions and, with the approval of the
27 DepEd and subject to existing laws on tuition fees, fix and collect reasonable

1 tuition fees and other school charges in educational institutions supported by
2 the city government;

3 (x) Establish a scholarship fund for the poor but deserving students in
4 schools located within its jurisdiction or for students residing within the City;

5 (xi) Approve measures and adopt quarantine regulations to prevent the
6 introduction and spread of diseases;

7 (xii) Provide for an efficient and effective system of solid waste and
8 garbage collection and disposal and prohibit littering and the placing or
9 throwing of garbage, refuse and other filth and wastes;

10 (xiii) Provide for the care of disabled persons, paupers, the aged, the
11 sick, persons of unsound mind, abandoned minors, juvenile delinquents, drug
12 dependents, abused children and the youth below eighteen (18) years of age;
13 and subject to availability of funds, establish and provide for the operation of
14 centers and facilities for the said needy and disadvantaged persons;

15 (xiv) Establish and provide for the maintenance and improvement of
16 jails and detention centers, institute a sound jail management program, and
17 appropriate funds for the subsistence of detainees and convicted prisoners in
18 the City;

19 (xv) Establish a city council whose purpose is the promotion of culture
20 and the arts, coordinate with government agencies and nongovernmental
21 organizations and, subject to the availability of funds, appropriate funds for the
22 support and development of the same; and

23 (xvi) Establish a city council for the elderly and senior citizens which
24 shall formulate policies and adopt measures mutually beneficial to the elderly
25 and to the community; provide incentives for nongovernmental agencies and
26 entities and, subject to the availability of funds, appropriate funds to support
27 programs and projects for the benefit of the elderly.

1 censured, reprimanded, or excluded from the session, suspended for not more
2 than sixty (60) days, or expelled: *Provided*, That the penalty of suspension or
3 expulsion shall require the concurrence of at least two-thirds (2/3) votes of all
4 the sanggunian members: *Provided, further*, That the member convicted by
5 final judgment to imprisonment of at least one year for any crime involving
6 moral turpitude shall be automatically expelled from the sanggunian.

7 (a) Such other rules as the sanggunian may adopt.

8 SEC. 13. *Full Disclosure of Financial and Business Interests of*
9 *Sangguniang Panlungsod Members.* – (a) Every sangguniang panlungsod
10 member shall, upon assumption to office, make a full disclosure of his business
11 and financial interests. He shall also disclose any business, financial,
12 professional relationship or any relation by affinity or consanguinity within the
13 fourth civil degree, which he may have with any person, firm or entity affected
14 by any ordinance or resolution under consideration by the sanggunian of which
15 he is a member, which relationship may result in conflict of interests. Such
16 relationship shall include:

17 (1) Ownership of stock or capital, or investment in the entity or firm to
18 which the ordinance or resolution may apply; and

19 (2) Contracts or agreements with any person or entity which the
20 ordinance or resolution under consideration may affect.

21 In the absence of a specific constitutional or statutory provisions
22 applicable to this situation, “conflict of interest” refers in general to one where
23 it may be reasonably deduced that a member of a sanggunian may not act in
24 the public interest due to some private, pecuniary or other personal
25 considerations that may tend to affect his judgment to the prejudice of the
26 service or the public.

1 (b) The disclosure required under this Act shall be made in writing and
2 submitted to the secretary of the sanggunian or the secretary of the committee
3 of which he is a member. The disclosure shall, in all cases, form part of the
4 record of the proceedings and shall be made in the following manner:

5 (1) Disclosure shall be made before the member participates in the
6 deliberations on the ordinance or resolution under consideration: *Provided,*
7 That if the member did not participate during the deliberations, the disclosure
8 shall be made before voting on the ordinance or resolution on second and third
9 readings; and

10 (2) Disclosure shall be made when a member takes a position or makes
11 a privilege speech on a matter that may affect the business interest, financial
12 connection or professional relationship described herein.

13 SEC. 14. *Sessions.* – (a) On the first day of the session immediately
14 following the election of its members, the sangguniang panlungsod shall, by
15 resolution, fix the day, time and place of its sessions. The minimum number of
16 regular sessions shall be once a week for the sangguniang panlungsod and
17 twice a month for the sangguniang barangay.

18 (b) When the public interest so demands, special sessions may be
19 called by the city mayor or by a majority of the members of the sanggunian.

20 (c) All sanggunian sessions shall be open to the public unless a closed-
21 door session is ordered by an affirmative vote of a majority of the members
22 present, there being a quorum, in the public interest or for reasons of security,
23 decency or morality. No two sessions, regular or special, may be held in a
24 single day.

25 (d) In the case of special sessions of the sanggunian, a written notice to
26 the members shall be served personally at the members' usual place of
27 residence at least twenty-four (24) hours before the special session is held.

1 Unless concurred in by two-thirds (2/3) vote of the sanggunian members
2 present, there being a quorum, no other matters may be considered at a special
3 session except those stated in the notice

4 (e) The sangguniang panlungsod shall keep a journal and record of its
5 proceedings, which may be published upon resolution of the majority of its
6 members.

7 SEC. 15. *Quorum.* – (a) A majority of all the members of the sanggunian
8 who have been elected and qualified shall constitute a quorum to transact
9 official business. Should a question of quorum be raised during a session, the
10 presiding officer shall immediately proceed to call the roll of the members and
11 thereafter announce the results.

12 (b) Where there is no quorum, the presiding officer may declare a
13 recess until such time a quorum is constituted, or a majority of the members
14 present may adjourn from day to day and may compel the immediate
15 attendance of any member absent without justifiable cause by designating a
16 member of the sanggunian, to be assisted by a member or members of the
17 police force assigned in the territorial jurisdiction of the City of Tayabas, to
18 arrest the absent member and present him at the session.

19 (c) If there is still no quorum despite the enforcement of the
20 immediately preceding subsection, no business shall be transacted. The
21 presiding officer, upon proper motion duly approved by the members present,
22 shall then declare the session adjourned for lack of quorum.

23 SEC. 16. *Approval of Ordinances.* – (a) Every ordinance enacted by the
24 sangguniang panlungsod shall be presented to the city mayor. If the city mayor
25 approves the same, he shall affix his signature on each and every page thereof;
26 otherwise, he shall veto it and return the same with his objections to the
27 sanggunian, which may proceed to reconsider the same. The sanggunian may

1 override the veto of the city mayor by two-thirds (2/3) vote of all its members,
2 thereby making the ordinance or resolution effective for all legal intents and
3 purposes.

4 (b) The veto shall be communicated by the city mayor to the
5 sanggunian within ten (10) days; otherwise, the ordinance shall be deemed
6 approved as if he had signed it.

7 SEC. 17. *Veto Power of the City Mayor.* – (a) The city mayor may veto
8 any ordinance of the sangguniang panlungsod on the ground that it is *ultra*
9 *vires* or prejudicial to the public welfare, stating his reasons thereof in writing.

10 (b) The city mayor shall have the power to veto any particular item or
11 items of an appropriations ordinance, an ordinance or resolution adopting a
12 local development plan, any public investment programs, or an ordinance
13 directing the payment of money or creating liability. In such case, the veto
14 shall not affect the item or items which are not objected to. The vetoed item or
15 items shall not take effect unless the sangguniang panlungsod overrides the
16 veto in the manner herein provided; otherwise, the item or items in the
17 appropriations ordinance of the previous year corresponding to those vetoed, if
18 any, shall be deemed enacted.

19 (c) The city mayor may veto an ordinance or resolution only once. The
20 sanggunian may override the veto of the city mayor by two-thirds (2/3) vote of
21 all its members, thereby making the ordinance effective even without the
22 approval of the city mayor.

23 SEC. 18. *Review of City Ordinances by the Sangguniang Panlalawigan.*
24 – (a) Within three days after approval, the secretary to the sangguniang
25 panlungsod shall forward to the sangguniang panlalawigan for review, copies
26 of approved ordinances and the resolutions approving the local development

1 plans and public investment programs formulated by the local development
2 councils.

3 (b) Within thirty (30) days after receipt of copies of such ordinances
4 and resolutions, the sangguniang panlalawigan shall examine the documents
5 or transmit them to the provincial attorney or the provincial prosecutor for
6 prompt examination. The provincial attorney or the provincial prosecutor
7 shall, within a period of ten (10) days from receipt of the documents, inform
8 the sangguniang panlalawigan in writing of his comments or recommendations,
9 which may be considered by the sangguniang panlalawigan in making its
10 decision.

11 (c) If the sangguniang panlalawigan finds that such an ordinance or
12 resolution is beyond the power conferred upon the sangguniang panlungsod
13 concerned, it shall declare such ordinance or resolution invalid in whole or in
14 part. The sangguniang panlalawigan shall enter its action in the minutes and
15 shall advise the corresponding city authorities of the action it has taken.

16 (d) If no action has been taken by the sangguniang panlalawigan
17 within thirty (30) days after submission of such an ordinance or resolution, the
18 same shall be presumed consistent with law and therefore valid.

19 SEC. 19. *Review of Barangay Ordinances by the Sangguniang*
20 *Panlungsod.* – (a) Within ten (10) days after its enactment, the sangguniang
21 barangay shall furnish copies of all barangay ordinances to the sangguniang
22 panlungsod for review as to whether the ordinance is consistent with law and
23 city ordinances.

24 (b) If the sangguniang panlungsod fails to take action on barangay
25 ordinances within thirty (30) days from receipt thereof, the same shall be
26 deemed approved.

1 (c) If the sangguniang panlungsod finds the barangay ordinances
2 inconsistent with law or city ordinances, the sangguniang panglunsod shall,
3 within thirty (30) days from receipt thereof, return the same with its comments
4 and recommendations to the sannguniang barangay concerned for adjustment,
5 amendment or modification; in which case, the effectivity of the barangay
6 ordinance is suspended until such time as the revision called for is effected.

7 *SEC. 20. Enforcement of Disapproved Ordinances or Resolutions. –*

8 Any attempt to enforce any ordinance or any resolution approving the local
9 development plan and public investment program after the disapproval thereof,
10 shall be sufficient ground for the suspension or dismissal of the official or
11 employee concerned.

12 *SEC. 21. Effectivity of Ordinances or Resolutions. – (a) Unless*

13 otherwise stated in the ordinance or the resolution approving the local
14 development plan and public investment program, the same shall take effect
15 after ten (10) days from the date a copy thereof is posted in a bulletin board at
16 the entrance of the City Hall of Tayabas, and in at least two other conspicuous
17 places in the City of Tayabas not later than five days after approval thereof.

18 (b) The secretary of the sangguniang panlungsod shall cause the
19 posting of an ordinance or resolution in the bulletin board at the entrance of
20 the City Hall in at least two conspicuous places not later than five days after
21 approval thereof.

22 The text of the ordinance or resolution shall be disseminated and posted
23 in Filipino or English and the secretary of the sangguniang panlungsod shall
24 record such fact in a book kept for the purpose, stating the dates of approval
25 and posting.

26 (c) The main features of the ordinance or resolution duly enacted or
27 adoptèd shall, in addition to being posted, be published once in a local

1 newspaper of general circulation within the City: *Provided*, That in the
 2 absence thereof the ordinance or resolution shall be published in any
 3 newspaper of general circulation: *Provided, further*, That the gist of all
 4 ordinances with penal sanctions shall also be published in a newspaper of
 5 general circulation.

6 ARTICLE VI

7 DISQUALIFICATION AND SUCCESSION OF ELECTIVE CITY OFFICIALS

8 SEC. 22. *Disqualifications of Elective Public City Officials.* – The
 9 following persons are disqualified from running for any elective position in the
 10 City:

11 (a) Those sentenced by final judgment for an offense involving moral
 12 turpitude or an offense punishable by one year or more of imprisonment,
 13 within two years after serving sentence;

14 (b) Those removed from office as a result of an administrative case;

15 (c) Those convicted by final judgment for violating the oath of
 16 allegiance to the Republic of the Philippines;

17 (d) Those with dual citizenship;

18 (e) Fugitives from justice in criminal or nonpolitical cases here and
 19 abroad;

20 (f) Permanent residents in a foreign country or those who have
 21 acquired the right to reside abroad and continue to avail of the same right after
 22 the effectivity of the Local Government Code; and

23 (g) The insane or feeble-minded.

24 SEC. 23. *Permanent Vacancy in the Office of the City Mayor and the*
 25 *City Vice Mayor.* – (a) If a permanent vacancy occurs in the office of the city
 26 mayor, the city vice mayor concerned shall become the city mayor. If a
 27 permanent vacancy occurs in the office of the city vice mayor, the highest

1 ranking sangguniang panlungsod member or, in case of his permanent
2 incapacity, the second highest ranking sangguniang panlungsod member shall
3 become the city mayor or city vice mayor, as the case may be. Subsequent
4 vacancies in the said offices shall be filled automatically by the other
5 sanggunian members according to their ranking as defined herein.

6 (b) A tie between or among the highest ranking sangguniang
7 panlungsod members shall be resolved by drawing of lots.

8 (c) The successors as defined herein shall serve only the unexpired
9 terms of their predecessors.

10 (d) For purposes of this Act, a permanent vacancy arises when an
11 elective local official fills a higher vacant office, refuses to assume office, fails
12 to qualify, dies, is removed from office, voluntarily resigns or is otherwise
13 permanently incapacitated to discharge the functions of his office.

14 (e) For purposes of succession as provided in this Act, ranking in the
15 sanggunian shall be determined on the basis of the proportion of votes
16 obtained by each winning candidate to the total number of registered voters in
17 the City immediately preceding local election.

18 SEC. 24. *Permanent Vacancies in the Sanggunian.* – Permanent
19 vacancies in the sangguniang panlungsod where automatic succession as
20 provided above does not apply shall be filled by appointments in the following
21 manner:

22 (a) The governor shall make the aforesaid appointments;

23 (b) Only the nominee of the political party under which the sanggunian
24 member concerned had been elected shall be appointed in the manner herein
25 provided. The appointee shall come from the political party as that of the
26 sanggunian member who caused the vacancy and shall serve the unexpired
27 term of the vacant office. In the appointment herein mentioned, a nomination

1 and a certificate of membership of the appointee from the highest official of
2 the political party concerned are conditions *sine qua non*, and any appointment
3 without such nomination and certification shall be null and void *ab initio* and
4 shall be a ground for administrative action against the official responsible
5 therefor;

6 (c) In case the permanent vacancy is caused by a sanggunian member
7 who does not belong to any political party, the city mayor shall, upon the
8 recommendation of the sangguniang panlungsod, appoint a qualified person to
9 fill the vacancy; and

10 (d) In case of vacancy in the representation of the youth and the
11 barangay in the sangguniang panlungsod, said vacancy shall be filled
12 automatically by the official next-in-rank of the organization concerned.

13 SEC. 25. *Temporary Vacancy in the Office of the City Mayor.* – (a)
14 When the city mayor is temporarily incapacitated to perform his duties for
15 physical or legal reasons such as, but not limited to, leave of absence, travel
16 abroad and suspension from office, the city vice mayor or the highest ranking
17 sangguniang panlungsod member shall automatically exercise the powers and
18 perform the duties and functions of the city mayor, except the power to
19 appoint, suspend or dismiss employees which can only be exercised if the
20 period of temporary incapacity exceeds thirty (30) working days.

21 (b) Said temporary incapacity shall terminate upon submission to the
22 sangguniang panlungsod of a written declaration by the city mayor that he has
23 reported back to office. In case where the temporary incapacity is due to legal
24 cause, the city mayor shall also submit necessary documents showing the said
25 legal causes no longer exist.

26 (c) When the city mayor is traveling within the country but outside
27 territorial jurisdiction for a period not exceeding three consecutive days, he

1 may designate in writing the officer-in-charge of his office. Such authorization
 2 shall specify the powers and functions that the local official concerned shall
 3 exercise in the absence of the city mayor, except the power to appoint, suspend
 4 or dismiss employees.

5 (d) In the event, however, that the city mayor fails or refuses to issue
 6 such authorization, the city vice mayor or the highest ranking sangguniang
 7 panlungsod member, as the case may be, shall have the right to assume the
 8 powers, duties and functions of the said office on the fourth day of absence of
 9 the city mayor, subject to the limitations provided in subsection (c) hereof.

10 (e) Except as provided above, the city mayor shall, in no case,
 11 authorize any local official to assume the powers, duties and functions of the
 12 office, other than the city vice mayor or the highest ranking member of the
 13 sangguniang panlungsod, as the case may be.

14 ARTICLE VII

15 THE APPOINTIVE OFFICIALS OF THE CITY

16 SEC. 26. *The Secretary of the Sangguniang Panlungsod.* – (a) There
 17 shall be a secretary to the sangguniang panlungsod who shall be a career
 18 official with the rank and salary equal to a head of a department or office.

19 (b) No person shall be appointed secretary to the sangguniang
 20 panlungsod unless he is a citizen of the Philippines, a resident of the City of
 21 Tayabas, of good moral character, a holder of a college degree preferably in
 22 law, commerce or public administration from a recognized college or
 23 university, and a first grade civil service eligible or its equivalent.

24 (c) The secretary to the sangguniang panlungsod shall take charge of
 25 the office of the sangguniang panlungsod, and shall:

26 (1) Attend meetings of the sangguniang panlungsod and keep a journal
 27 of its proceedings;

1 (2) Keep the seal of the City and affix the same with his signature to all
2 ordinances, resolutions and other official acts of the *sangguniang panlungsod*
3 and present the same to the presiding officer for his signature;

4 (3) Forward to the city mayor, for approval, copies of ordinances
5 enacted by the *sangguniang panlungsod* and duly certified by the presiding
6 officer;

7 (4) Forward to the Department of Budget and Management (DBM)
8 copies of the appropriation ordinances passed by the *sangguniang panlungsod*
9 as provided for under Section 326, Book II of the Local Government Code;

10 (5) Forward to the *sangguniang panlalawigan* copies of duly approved
11 ordinances in the manner provided in Sections 56 and 57 under Book I of the
12 Local Government Code;

13 (6) *Furnish, upon request of any interested party, certified copies of*
14 *records of public character in his custody, upon payment to the city treasurer*
15 *of such fees as may be prescribed by ordinance;*

16 (7) Record in a book kept for the purpose, all ordinances and
17 resolutions enacted or adopted by the *sangguniang panlungsod*, with the dates
18 of passage and publication thereof;

19 (8) Keep his office and all nonconfidential records therein open to the
20 public during usual business hours;

21 (9) Translate into the dialect used by the majority of the inhabitants all
22 ordinances and resolutions immediately after their approval, and cause the
23 publication of the same together with the original version in the manner
24 provided under the Local Government Code;

25 (10) Take custody of the local archives, and where applicable, the local
26 library and annually account for the same; and,

1 (11) Perform such other duties and functions and exercise such other
2 power, as provided for under the Local Government Code, and those that are
3 prescribed by law or ordinance.

4 SEC. 27. *The City Treasurer.* – (a) The city treasurer shall be appointed
5 by the Secretary of Finance from a list of at least three ranking eligible
6 recommendees of the city mayor, subject to civil service law, rules and
7 regulations.

8 (b) The city treasurer shall be under the administrative supervision of
9 the city mayor, to whom he shall report regularly on the tax collection efforts
10 of the City.

11 (c) No person shall be appointed city treasurer unless he is a citizen of
12 the Philippines, a resident of the City of Tayabas, of good moral character, a
13 holder of a college degree preferably in commerce, public administration or
14 law from a recognized college or university, and a first grade civil service
15 eligible or its equivalent. He must have acquired experience in treasury or
16 accounting service for at least five years.

17 (d) The city treasurer shall receive such compensation, emoluments,
18 and allowances as may be determined by law.

19 (e) The city treasurer shall take charge of the city finance department,
20 and shall:

21 (1) Advise the city mayor, the sangguniang panlungsod and other local
22 government and national officials concerned regarding disposition of local
23 government funds and on such other matters relative to public finance;

24 (2) Take custody and exercise proper management of the funds of the
25 City;

1 (3) Take charge of the disbursement of all funds of the City and such
2 other funds the custody of which may be entrusted to him by law or other
3 competent authority;

4 (4) Inspect private commercial and industrial establishments within the
5 jurisdiction of the City in relation to the implementation of tax ordinances,
6 pursuant to the provisions of the Local Government Code;

7 (5) Maintain and update the tax information system of the City; and

8 (6) Perform such other duties and functions and exercise such other
9 powers as provided for under Republic Act No. 7160, otherwise known as the
10 Local Government Code of 1991, and those that are prescribed by law or
11 ordinance.

12 SEC. 28. *The Assistant City Treasurer.* – (a) The assistant city treasurer
13 may be appointed by the Secretary of Finance from a list of at least three
14 ranking eligible recommendees of the city mayor, subject to civil service law,
15 rules and regulations.

16 (b) No person shall be appointed assistant city treasurer unless he is a
17 citizen of the Philippines, a resident of the City of Tayabas, of good moral
18 character, a holder of a college degree preferably in commerce, public
19 administration or law from a recognized college or university, and a first grade
20 civil service eligible or its equivalent. He must have acquired at least five
21 years experience in treasury or accounting.

22 (c) The assistant city treasurer shall receive such compensation,
23 emoluments and allowances as may be determined by law.

24 (d) The assistant city treasurer shall assist the city treasurer and
25 perform such other duties as the latter may assign him. He shall have authority
26 to administer oaths concerning notices and notifications to those delinquent in
27 the payment of the real property tax and concerning official matters relating to

1 the accounts of the city treasurer or otherwise arising from the offices of the
2 city treasurer and the city assessor.

3 SEC. 29. *The City Assessor.* – (a) The city assessor must be a citizen of
4 the Philippines, a resident of the City of Tayabas, of good moral character, a
5 holder of a college degree preferably in civil or mechanical engineering,
6 commerce or any other related course from a recognized college or university,
7 and a first grade civil service eligible or its equivalent. He must have acquired
8 experience in real property assessment work or in any related field for at least
9 five years immediately preceding the date of his appointment.

10 (b) The city assessor shall receive such compensation, emoluments and
11 allowances as may be determined by law.

12 (c) The city assessor shall take charge of the city assessment
13 department, and shall:

14 (1) Ensure that all laws and policies governing the appraisal and
15 assessment of real properties for taxation purposes are properly executed;

16 (2) Initiate, review and recommend changes in policies and objectives,
17 plans and programs, techniques, procedures and practices in the evaluation and
18 assessment of real properties for taxation purposes;

19 (3) Establish a systematic method of real property assessment;

20 (4) Install and maintain a real property identification and accounting
21 systems;

22 (5) Prepare, install and maintain a system of tax mapping, showing
23 graphically all properties subject to assessment and gather all data concerning
24 the same;

25 (6) Conduct frequent physical surveys to verify and determine whether
26 all real properties within the City are properly listed in the assessment rolls;

1 (7) Exercise the functions of appraisal and assessment primarily for
2 taxation purposes of all real properties in the City;

3 (8) Prepare a schedule of the fair market value of the different classes
4 of real properties in accordance with the provisions of the Local Government
5 Code;

6 (9) Issue, upon request of any interested party, certified copies of
7 assessment records of real properties on all other records relative to its
8 assessment, upon payment of a service charge or fee to the city treasurer;

9 (10) Submit every semester a report of all assessments, as well as
10 cancellations and modifications of assessments to the city mayor and the
11 sangguniang panlungsod; and

12 (11) Perform such other duties and functions and exercise such other
13 powers as provided for under Republic Act No. 7160, otherwise known as the
14 Local Government Code of 1991, and those that are prescribed by law or
15 ordinance.

16 SEC. 30. *The Assistant City Assessor.* -- (a) The assistant city assessor
17 must be a citizen of the Philippines, a resident of the City of Tayabas, of good
18 moral character, a holder of a college degree preferably in civil or mechanical
19 engineering, commerce or any related course from a recognized college or
20 university, and a first grade civil service eligible or its equivalent. He must
21 have acquired experience in assessment or in any related field for at least three
22 years immediately preceding the date of his appointment.

23 (b) The assistant city assessor shall receive such compensation,
24 emoluments and allowances as may be determined by law.

25 (c) The assistant city assessor shall assist the city assessor and perform
26 such other duties as the latter may assign to him. He shall have the authority to

1 administer oaths and all declarations of all real property for purposes of
2 assessment.

3 SEC. 31. *The City Accountant.* – (a) The city accountant must be a
4 citizen of the Philippines, a resident of the City of Tayabas, of good moral
5 character, and a certified public accountant. He must have acquired
6 experience in the treasury or accounting service for at least five years
7 immediately preceding the date of his appointment.

8 (b) The city accountant shall receive such compensation, emoluments
9 and allowances as may be determined by law.

10 (c) The city accountant shall take charge of both the office of the
11 accounting and internal audit services, and shall:

12 (1) Install and maintain an internal audit system in the City;

13 (2) Prepare and submit financial statements to the city mayor and to the
14 sangguniang panlungsod;

15 (3) Apprise the sangguniang panlungsod and other officials on the
16 financial condition and operations of the City;

17 (4) Certify to the availability of budgetary allotment to which
18 expenditures and obligations may be properly charged;

19 (5) Review supporting documents before the preparation of vouchers
20 to determine the completeness of requirements;

21 (6) Prepare statements of cash advances, liquidations, salaries,
22 allowances, reimbursements and remittances pertaining to the City;

23 (7) Prepare statements of journal vouchers and liquidation of the same
24 and other adjustments related thereto;

25 (8) Post individual disbursements to the subsidiary ledger and index
26 cards;

1 (9) Maintain individual ledgers for officials and employees of the City
2 pertaining to payrolls and deductions;

3 (10) Record and post in index cards details of purchased furniture,
4 fixtures and equipment, including disposal thereof, if any;

5 (11) Account for all issued requests for obligations and maintain and
6 keep all records and reports related thereto;

7 (12) Prepare journals and the analysis of obligations and maintain and
8 keep all records and reports related thereto; and

9 (13) Perform such other duties and functions and exercise such other
10 powers as provided for under Republic Act No. 7160, otherwise known as the
11 Local Government Code of 1991, and those that are prescribed by law or
12 ordinance.

13 SEC. 32. *The City Budget Officer.* – (a) The city budget officer must be
14 a citizen of the Philippines, a resident of the City of Tayabas, of good moral
15 character, a holder of a college degree preferably in accounting, economics,
16 public administration, or any related course from a recognized college or
17 university and a first grade civil service eligible or its equivalent. He must
18 have acquired experience in government budgeting or in any related field for at
19 least five years immediately preceding the date of his appointment.

20 (b) The city budget officer shall take charge of the city budget
21 department, and shall:

22 (1) Prepare forms, orders and circulars embodying instructions on
23 budgetary and appropriation matters for the signature of the city mayor;

24 (2) Review and consolidate the budget proposals of different
25 departments and offices of the City;

26 (3) Assist the city mayor in the preparation of the budget and during
27 budget hearings;

1 (4) Study and evaluate budgetary implications of proposed legislation
2 and submit comments and recommendations thereon;

3 (5) Submit periodic budgetary reports to the DBM;

4 (6) Coordinate with the city treasurer, the city accountant and the city
5 urban development officer for the purpose of budgeting;

6 (7) Assist the sangguniang panlungsod in reviewing the approved
7 budgets of component city;

8 (8) Coordinate with the city urban development office in the
9 formulation of the development plan of the City; and

10 (9) Perform such other duties and functions and exercise such other
11 powers as provided for under Republic Act No. 7160, otherwise known as the
12 Local Government Code of 1991, and those that are prescribed by law or
13 ordinance.

14 SEC. 33. *The City Planning and Development Officer.* – (a) The city
15 planning and development officer must be a citizen of the Philippines, a
16 resident of the City of Tayabas, of good moral character, a holder of a college
17 degree preferably in urban planning, development studies, economics, public
18 administration or any related course from a recognized college or university,
19 and a first grade civil service eligible or its equivalent. He must have acquired
20 *experience in development planning or in any related field for at least five*
21 *years.*

22 (b) The city planning and development officer shall receive such
23 compensation, emoluments and allowances as may be determined by law.

24 (c) The city planning and development officer shall take charge of the
25 city planning and development coordinating office, and shall:

26 (1) Formulate integrated economic, social, physical and other
27 development plans and policies for consideration of the City;

1 (2) Conduct continuing studies, researches and training programs
2 necessary to evolve plans and programs for implementation;

3 (3) Integrate and coordinate all sectoral plans and studies undertaken
4 by the different functional groups or agencies;

5 (4) Monitor and evaluate the implementation of the different
6 development programs, projects and activities in the City in accordance with
7 the approved development plan;

8 (5) Prepare comprehensive plans and other development planning
9 documents for the consideration of the local development council;

10 (6) Analyze the income and expenditure patterns, and formulate and
11 recommend fiscal plans and policies for consideration of the finance
12 committee of the sangguniang panlungsod;

13 (7) Promote peoples participation in development planning within the
14 City;

15 (8) Exercise supervision and control over the secretariat of the local
16 development council; and

17 (9) Perform such other functions and duties and exercise such other
18 powers as provided for under Republic Act No. 7160, otherwise known as the
19 Local Government Code of 1991, and those that are prescribed by law or
20 ordinance.

21 SEC. 34. *The City Engineer.* – (a) The city engineer must be a citizen of
22 the Philippines, a resident of the City of Tayabas, of good moral character and
23 a licensed civil engineer. He must have acquired experience in the practice of
24 his profession for at least five years immediately preceding the date of his
25 appointment.

26 (b) The city engineer shall receive such compensation, emoluments and
27 allowances as may be determined by law.

1 (c) The city engineer shall take charge of the city engineering office,
2 and shall:

3 (1) *Initiate, review and recommend changes in policies and objectives,*
4 *plans and programs, techniques, procedures and practices in infrastructure*
5 *development and public works in general of the City;*

6 (2) Advise the city mayor on infrastructure, public works and other
7 engineering matters;

8 (3) Administer, coordinate, supervise and control the construction,
9 maintenance, improvement and repair of roads, bridges, other engineering and
10 public works projects of the City;

11 (4) Provide engineering services to the City, including investigation
12 and survey, engineering designs, feasibility studies and project management;
13 and

14 (5) Perform such other duties and functions and exercise such other
15 powers as provided for under Republic Act No. 7160, otherwise known as the
16 Local Government Code of 1991, and those that are prescribed by law or
17 ordinance.

18 SEC. 35. *The City Health Officer.* – (a) The city health officer must be a
19 citizen of the Philippines, a resident of the City of Tayabas, of good moral
20 character and a licensed medical practitioner. He must have acquired
21 experience in the practice of his profession for at least five years immediately
22 preceding the date of his appointment.

23 (b) The city health officer shall receive such compensation,
24 emoluments and allowances as may be determined by law.

25 (c) The city health officer shall take charge of the office of the City
26 health services, and shall:

1 (1) Supervise the personnel and staff of said office, formulate program
2 implementation guidelines and rules and regulations for the operation of the
3 said office for the approval of the city mayor in order to assist him in the
4 efficient, effective and economical implementation of health service program
5 geared to implement health-related projects and activities;

6 (2) Formulate measures for the consideration of the sangguniang
7 panlungsod and provide technical assistance and support to the city mayor in
8 carrying out activities to ensure the delivery of basic services and the
9 provisions of adequate facilities relative to health services provided under
10 Section 17 of the Local Government Code;

11 (3) Develop plans and strategies and, upon approval thereof by the city
12 mayor, implement the same, particularly those which have to do with health
13 programs and projects which the city mayor is empowered to implement and
14 which the sangguniang panlungsod is empowered to provide for under the
15 Local Government Code; and

16 (4) In addition to the foregoing duties and functions, the city health
17 officer shall:

18 (i) Formulate and implement policies, plans and projects to promote
19 the health of the people in the city;

20 (ii) Advises the city mayor and the sangguniang panlungsod on matters
21 pertaining to health;

22 (iii) Execute and enforce all laws, ordinances and regulations relating to
23 public health;

24 (iv) Recommend to the sangguniang panlungsod through the local
25 health board, the passage of such ordinances as he may deem necessary for the
26 preservation of public health;

1 (v) Recommend the prosecution of any violation of sanitary laws,
2 ordinances or regulations;

3 (vi) Direct the sanitary inspection of all business establishment selling
4 food items or providing accommodation such as hotels, motels, lodging
5 houses, pension houses, and the like, in accordance with the Sanitation Code;

6 (vii) Conduct health information campaigns and render health
7 intelligence services;

8 (viii) Coordinate with other government agencies and nongovernmental
9 organizations involved in the promotion and delivery of health services; and

10 (ix) Be in the frontline of the delivery of health services, particularly
11 during and in the aftermath of man-made and natural disasters and calamities;
12 and

13 (x) Perform such other duties and functions and exercise such other
14 powers as provided for under Republic Act No. 7160, otherwise known as the
15 Local Government Code of 1991, and those that are prescribed by law or
16 ordinance.

17 SEC. 36. *The City Civil Registrar.* – (a) The city civil registrar must be
18 a citizen of the Philippines, a resident of the City of Tayabas, of good moral
19 character, a holder of a college degree from a recognized college or university,
20 and a first grade civil service eligible or its equivalent. He must have acquired
21 experience in civil registry work for at least five years immediately preceding
22 the date of his appointment.

23 (b) The city civil registrar shall receive such compensation,
24 emoluments and allowances as may be determined by law.

25 (c) The city civil registrar shall be responsible for the civil registration
26 program in the City of Tayabas, pursuant to the Civil Registry Law, the Civil

1 Code, and other pertinent laws, rules and regulations issued to implement
2 them.

3 (d) The city civil registrar shall take charge of the office of the city
4 civil registry, and shall:

5 (1) *Develop plans and strategies and, upon approval thereof by the city*
6 *mayor, implement the same, particularly those which have to do with the*
7 *management and administration-related programs and projects which the city*
8 *mayor is empowered to implement and which the sangguniang panlungsod is*
9 *empowered to provide for under the Local Government Code;*

10 (2) In addition to the foregoing duties and functions, the city civil
11 registrar shall:

12 (i) *Accept all registrable documents and judicial decrees affecting the*
13 *civil status of persons;*

14 (ii) *File, keep and preserve in a secure, place the books required by*
15 *law;*

16 (iii) *Transcribe and enter immediately upon receipt all registrable*
17 *documents and judicial decrees affecting the civil status of persons in the*
18 *appropriate civil registry books;*

19 (iv) *Transmit to the Office of the Civil Registrar-General, within the*
20 *prescribed period, duplicate copies of registered documents required by law;*

21 (v) *Issue certified transcripts or copies of any certificate or registered*
22 *documents upon payment of the required fees to the treasurer;*

23 (vi) *Receive applications for the issuance of a marriage license and,*
24 *after determining that the requirements and supporting certificates and*
25 *publication thereof for the prescribed period have been complied with, issue*
26 *the license upon payment of the authorized fee to the treasurer; and*

1 (vii) Coordinate with the National Statistics Office in conducting
2 educational campaigns for vital registration and assist in the preparation of
3 demographic and other statistics for the City of Tayabas.

4 (3) Perform such other duties and functions and exercise such other
5 powers as provided for under the Local Government Code, and those that are
6 prescribed by law or ordinance.

7 SEC. 37. *The City Administrator.* – (a) The city administrator must be a
8 citizen of the Philippines, a resident of the City of Tayabas, of good moral
9 character, a holder of a college degree preferably in public administration, law
10 or any other related course from a recognized college or university, and a first
11 grade civil service eligible or its equivalent. He must have acquired
12 experience in management and administrative work for at least five years
13 immediately preceding the date of his appointment.

14 (b) The term of the city administrator is coterminous with that of his
15 appointing authority.

16 (c) The city administrator shall receive such compensation,
17 emoluments and allowances as may be determined by law.

18 (d) The city administrator shall take charge of the city administrator's
19 office, and shall:

20 (1) Develop plans and strategies and upon approval thereof by the city
21 mayor, implement the same particularly those which have to do with the
22 management and administration-related programs and projects which the city
23 mayor is empowered to implement and which the sangguniang panlungsod is
24 empowered to provide for under the Local Government Code;

25 (2) Be in the frontline of the delivery of administrative support
26 services, particularly those related to the situations during and in the aftermath
27 of man-made and natural disasters and calamities;

1 (3) Recommend to the sangguniang panlungsod and advise the city
2 mayor on all matters relative to the management and administration of the
3 City; and

4 (4) Perform such other duties and functions and exercise such other
5 powers as provided for under the Local Government Code, and those that are
6 prescribed by law or ordinance.

7 SEC. 38. *The City Legal Officer.* -- (a) The city legal officer must be a
8 citizen of the Philippines, a resident of the City of Tayabas, of good moral
9 character, and a member of the Philippine Bar. He must have practiced his
10 profession for at least five years immediately preceding the date of his
11 appointment.

12 (b) The city legal officer shall receive such compensation, emoluments
13 and allowances as may be determined by law.

14 (c) The city legal officer, the chief legal counsel of the City, shall take
15 charge of the office of the city legal service, and shall:

16 (1) Formulate measures for the consideration of the sangguniang
17 panlungsod and provide legal assistance and support to the city mayor in
18 carrying out the delivery of basic services and the provisions of adequate
19 facilities;

20 (2) Develop plans and strategies and upon approval thereof by the city
21 mayor, implement the same, particularly those which have to do with the
22 programs and projects related to legal services which the city mayor is
23 empowered to implement and which the sangguniang panlungsod is
24 empowered to provide;

25 (3) Recommend measures to the sangguniang panlungsod and advise
26 the city mayor on all matters related to upholding the rule of law;

1 (4) Be in the frontline of protecting human rights and prosecuting any
2 violations thereof, particularly those which occur during and in the aftermath
3 of man-made or natural disasters and calamities; and

4 (5) Perform such other duties and functions and exercise such other
5 powers as provided for under the Local Government Code, and those that are
6 prescribed by law or ordinance.

7 SEC. 39. *The City Social Welfare and Development Officer.* – (a) The
8 city social welfare and development officer must be a citizen of the
9 Philippines, a resident of the City of Tayabas, of good moral character, a duly
10 licensed social worker or a holder of a college degree preferably in sociology
11 or any other related course from a recognized college or university, and a first
12 grade civil service eligible or its equivalent. He must have acquired
13 experience in the practice of social work for at least five years immediately
14 preceding the date of his appointment.

15 (b) The city social welfare and development officer shall receive such
16 compensation, emoluments and allowances as may be determined by law.

17 (c) The city social welfare and development officer shall take charge of
18 the office of the social welfare and development, and shall:

19 (1) Formulate measures for the approval of the sangguniang
20 panlungsod and provide technical assistance and support to the city mayor in
21 carrying out measures to ensure delivery of basic services and the provisions
22 of adequate facilities relative to social welfare and development services;

23 (2) Develop plans and strategies and upon approval thereof by the city
24 mayor, implement the same, particularly those which have to do with social
25 welfare programs and projects which the city mayor is empowered to
26 implement and which the sangguniang panlungsod is empowered to provide;

1 (3) Be in the frontline of the delivery of services particularly those
2 which have to do with immediate relief and assistance during and in the
3 aftermath of man-made and natural disasters and calamities;

4 (4) Recommend to the sangguniang panlungsod and advise the city
5 mayor on all other matters related to social welfare and development services
6 which will improve the livelihood and living conditions of the inhabitants; and

7 (5) Perform such other duties and functions and exercise such other
8 powers as provided for under the Local Government Code, and those that are
9 prescribed by law or ordinance.

10 SEC. 40. *The City Veterinarian.* – (a) The city veterinarian must be a
11 citizen of the Philippines, a resident of the City of Tayabas, of good moral
12 character, and a licensed doctor of veterinary medicine. He must have
13 practiced his profession for at least three years immediately preceding the date
14 of his appointment.

15 (b) The city veterinarian shall receive such compensation, emoluments
16 and allowances as may be determined by law.

17 (c) The city veterinarian shall take charge of the office of veterinary
18 services and shall:

19 (1) Formulate measures for the consideration of the sangguniang
20 panlungsod and provide technical assistance and support to the city mayor in
21 carrying out measures to ensure the delivery of basic services and the
22 provisions of adequate facilities;

23 (2) Develop plans and strategies and, upon approval thereof by the city
24 mayor, implement the same, particularly those which have to do with
25 veterinary related activities which the city mayor is empowered to implement
26 and which the sangguniang panlungsod is empowered to provide;

1 (3) Be in the frontline of the veterinary-related activities, such as the
2 outbreak of highly-contagious and deadly diseases, and in situations resulting
3 in the depletion of animals for work and human consumption, particularly
4 those arising from and in the aftermath of man-made and natural disasters and
5 calamities;

6 (4) *Recommend to the sangguniang panlungsod and advise the city*
7 *mayor on all other matters relative to veterinary services which will increase*
8 *the number and improve the quality of livestock, poultry and other domestic*
9 *animals used for work or human consumption; and*

10 (5) Perform such other duties and functions and exercise such other
11 powers as provided for under the Local Government Code, and those that are
12 prescribed by law or ordinance.

13 SEC. 41. *The City General Services Officer.* – (a) The city general
14 services officer must be a citizen of the Philippines, a resident of the City of
15 Tayabas, of good moral character, a holder of a college degree in public
16 administration; business administration and management from a recognized
17 college or university, and a first grade civil service eligible or its equivalent.
18 He must have acquired experience in general services, including management
19 of supply, property, solid waste disposal and general sanitation at least three
20 years immediately preceding the date of his appointment.

21 (b) The city general services officer shall receive such compensation,
22 emoluments and allowances as may be determined by law.

23 (c) The city general services officer shall take charge of the office on
24 general services and shall:

25 (1) Formulate measures for the consideration of the sangguniang
26 panlungsod and provide technical assistance and support to the city mayor in
27 carrying out measures to ensure the delivery of basic services and the

1 provisions of adequate facilities which require general services expertise and
2 technical support services;

3 (2) Develop plans and strategies and, upon approval thereof by the city
4 mayor, implement the same, particularly those which have to do with general
5 services supportive of the welfare of the inhabitants of the City which the city
6 mayor is empowered to implement and which the sangguniang panlungsod is
7 empowered to provide;

8 (3) Take custody of and be accountable for all properties, real or
9 personal, owned by the City, and those granted to it in the form of donation,
10 reparation, assistance and counterpart of joint projects;

11 (4) Be in the front-line of general services-related activities, such as the
12 possible or imminent destruction or damage to records, supplies, properties,
13 and structure materials or debris, particularly during and in the aftermath of
14 man-made and natural disasters and calamities;

15 (5) Recommend to the sangguniang panlungsod and advise the city
16 mayor on all other matters relative to general services; and

17 (6) Perform such other duties and functions and exercise such other
18 powers as provided for under the Local Government Code, and those that are
19 prescribed by law or ordinance.

20 SEC. 42. *The City Environment and Natural Resources Officer.* – (a)
21 The city environment and natural resources officer must be a citizen of the
22 Philippines, a resident of the City of Tayabas, of good moral character, a
23 holder of a college degree preferably in environment, forestry, agriculture or
24 any other related course from a recognized college or university, and a first
25 grade civil service eligible or its equivalent. He must have acquired
26 experience in the environment and natural resources management,

1 conservation and utilization work for at least five years immediately preceding
2 the date of his appointment.

3 (b) The city environment and natural resources officer shall receive
4 such compensation, emoluments and allowances as may be determined by law.

5 (c) The city environment and natural resources officer shall take
6 charge of the environment service department, and shall:

7 (1) Formulate measures for the consideration of the sangguniang
8 panlungsod and provide assistance and support to the city mayor in carrying
9 out measures to ensure the delivery of basic services and the provisions of
10 adequate facilities relative to environment and natural resources services as
11 provided for under Section 17 of the Local Government Code;

12 (2) Develop plans and strategies and, upon approval thereof by the city
13 mayor, implement the same, particularly those which have to do with the
14 environment and natural resources programs and projects which the city mayor
15 is empowered to implement and which the sangguniang panlungsod is
16 empowered to provide;

17 (3) Be in the frontline of the delivery of services concerning the
18 environment and natural resources, particularly in the renewal and
19 rehabilitation of the environment during and in the aftermath of man-made and
20 natural disasters or calamities;

21 (4) Recommend measures to the sangguniang panlungsod and advise
22 the city mayor on all matters relative to the protection, conservation, maximum
23 utilization, application of appropriate technology and other matters related to
24 the environment and natural resources; and

25 (5) Perform such other duties and functions and exercise such other
26 powers as provided for under the Local Government Code, and those that are
27 prescribed by law or ordinance.

1 SEC. 43. *The City Architect.* – (a) The city architect must be a citizen of
2 the Philippines, a resident of the City of Tayabas, of good moral character, and
3 a duly licensed architect. He must have practiced his profession for at least
4 five years immediately preceding the date of his appointment.

5 (b) The city architect shall receive such compensation, emoluments and
6 allowances as may be determined by law.

7 (c) The city architect shall take charge of the office on the architectural
8 planning and design, and shall:

9 (1) Formulate measures for the consideration of the *sangguniang*
10 *panlungsod* and provide technical assistance and support to the city mayor in
11 carrying out measures to ensure the delivery of basic services and the
12 provisions of adequate facilities relative to architectural planning and design;

13 (2) Develop plans and strategies and, upon approval thereof by the city
14 mayor, implement the same, particularly those which have to do with
15 architectural planning and design programs and projects which the city mayor
16 is empowered to implement and which the *sangguniang panlungsod* is
17 empowered to provide for under the Local Government Code;

18 (3) Be in the frontline of the delivery of services involving
19 architectural planning and design, particularly those related to the redesigning
20 of spatial distribution of basic facilities and physical structures during and in
21 the aftermath of man-made and natural disasters and calamities;

22 (4) *Recommend to the sangguniang panlungsod and advise the city*
23 *mayor on all matters relative to architectural planning and design as it relates*
24 *to the total socioeconomic development of the City; and*

25 (5) Perform such other duties and functions and exercise such other
26 powers as provided for under the Local Government Code and those that are
27 prescribed by law or ordinance.

1 SEC. 44. *The City Information Officer.* – (a) The city information officer
2 must be a citizen of the Philippines, a resident of the City of Tayabas, of good
3 moral character, a holder of a college degree preferably in journalism, mass
4 communication or any related course from a recognized college or university,
5 and a first grade civil service eligible or its equivalent. He must have acquired
6 experience in writing articles and research papers, or writing for print,
7 television or broadcast media for at least five years immediately preceding the
8 date of his appointment.

9 (b) The city information officer shall receive such compensation,
10 emoluments and allowances as may be determined by law.

11 (c) The city information officer shall take charge of the city
12 information and community relations department, and shall:

13 (1) Formulate measures for the consideration of the sangguniang
14 panlungsod and provide technical assistance and support to the city mayor in
15 providing the information and research data required for the delivery of basic
16 services and the provisions of adequate facilities so that the public becomes
17 aware of said services and may fully avail of the same;

18 (2) Develop plans and strategies and, upon approval thereof by the city
19 mayor, implement the same, particularly those which have to do with public
20 information and research data to support programs and projects which the city
21 mayor is empowered to implement and which the sangguniang panlungsod is
22 empowered to provide;

23 (3) Be in the frontline in providing information during and in the
24 aftermath of man-made and natural disasters and calamities, with special
25 attention to the victims thereof, to help minimize injuries and casualties during
26 and after the emergency, and to accelerate relief and rehabilitation;

1 (4) Recommend to the sangguniang panlungsod and advise the city
2 mayor on all matters relative to public information and research data as it
3 relates to the total socioeconomic development of the City; and

4 (5) Perform such other duties and functions and exercise such other
5 powers as provided for under the Local Government Code, and those that are
6 prescribed by law or ordinance.

7 *SEC. 45. The City Cooperatives Officer.* – (a) The city cooperatives
8 officer must be a citizen of the Philippines, a resident of the City of Tayabas,
9 of good moral character, a holder of a college degree preferably in business
10 administration with special training on cooperatives or any related course from
11 a recognized college or university, and a first grade civil service eligible or its
12 equivalent. He must have acquired experience in cooperatives organization
13 and management for at least five years immediately preceding the date of his
14 appointment.

15 (b) The city cooperatives officer shall receive such compensation,
16 emoluments and allowances as may be determined by law.

17 (c) The city cooperatives officer shall take charge of the office for the
18 development of cooperatives, and shall:

19 (1) Formulate measures for consideration of the sangguniang
20 panlungsod and provide technical assistance and support to the city mayor in
21 carrying out measures to ensure the delivery of basic services and the
22 provisions of adequate facilities through the development of cooperatives, and
23 in providing access to such services and facilities;

24 (2) Develop plans and strategies and, upon approval thereof by the city
25 mayor, implement the same, particularly those which have to do with the
26 integration of cooperative principles and methods in programs which the city

1 mayor is empowered to implement and which the sangguniang panlungsod is
2 empowered to provide;

3 (3) Be in the frontline of cooperative organization, rehabilitation or
4 viability enhancement, particularly during and in the aftermath of man-made
5 and natural disasters and calamities, to aid in their survival and, if necessary,
6 subsequent rehabilitation;

7 (4) Recommend to the sangguniang panlungsod and advise the city
8 mayor on all other matters relative to cooperatives development and viability
9 enhancement which will improve the livelihood and quality of life of the
10 inhabitants; and

11 (5) Perform such other duties and functions and exercise such other
12 powers as provided for under the Local Government Code, and those that are
13 prescribed by law or ordinance.

14 SEC. 46. *The City Population Officer.* – (a) The city population officer
15 must be a citizen of the Philippines, a resident of the City of Tayabas, of good
16 moral character, a holder of a college degree preferably with specialized
17 training in population development from a recognized college or university,
18 and a first grade civil service eligible or its equivalent. He must have acquired
19 experience in the implementation of programs on population development or
20 responsible parenthood for at least five years immediately preceding the date of
21 his appointment.

22 (b) The city population officer shall receive such compensation,
23 emoluments and allowances as may be determined by law.

24 (c) The city population officer shall take charge of the office of the
25 population development, and shall:

26 (1) Formulate measures for the consideration of the sangguniang
27 panlungsod and provide technical assistance and support to the city mayor in

1 carrying out measures to ensure the delivery of basic services and the
2 provisions of adequate facilities relative to the integration of the population
3 development principles and in providing access to said services and facilities;

4 (2) Develop plans and strategies and, upon approval thereof by the
5 city mayor, implement the same, particularly those which have to do with the
6 integration of population development principles and methods in programs and
7 projects which the city mayor is empowered to implement and which the
8 sangguniang panlungsod is empowered to provide; and

9 (3) Perform such other duties and functions and exercise such other
10 powers as provided for under the Local Government Code, and those that are
11 prescribed by law or ordinance.

12 SEC. 47. *The City Agriculturist.* – (a) The city agriculturist must be a
13 citizen of the Philippines, a resident of the City of Tayabas, of good moral
14 character, a holder of a college degree in agriculture or any other related
15 course from a recognized college or university, and a first grade civil service
16 eligible or its equivalent. He must have practiced his profession in agriculture
17 or acquired the experience in a related field for at least five years immediately
18 preceding the date of his appointment.

19 (b) The city agriculturist shall receive such compensation, emoluments
20 and allowances as may be determined by law.

21 (c) The city agriculturist shall take charge of the office for the
22 agricultural services, and shall:

23 (1) Formulate measures for the approval of the sangguniang
24 panlungsod and provide technical assistance and support to the city mayor in
25 carrying out measures to ensure the delivery of basic services and the
26 provisions of adequate facilities relative to agricultural services;

1 (2) Develop plans and strategies and, upon approval thereof by the city
2 mayor, implement the same, particularly those which have to do with
3 agricultural programs and projects which the city mayor is empowered to
4 implement and which the sangguniang panlungsod is empowered to provide;

5 (3) In addition to the foregoing duties and functions, the city
6 agriculturist shall:

7 (i) Ensure that maximum assistance and access to resources in the
8 production, processing and marketing of agricultural and aqua-cultural and
9 marine products are extended to farmers, fishermen and local entrepreneurs;

10 (ii) Conduct or cause to be considered location-specific agricultural
11 researches and assist in making available the appropriate technology arising
12 out of and disseminating information on basic research on crops, prevention
13 and control of plant diseases and pests, and other agricultural matters which
14 will maximize productivity;

15 (iii) Assist the city mayor in the establishment and extension services of
16 demonstration farms or aquaculture and marine products;

17 (iv) Enforce rules and regulations relating to agriculture and aqua-
18 culture; and

19 (v) Coordinate with government agencies and nongovernmental
20 organizations, which promote agricultural productivity through appropriate
21 technology compatible with environmental integrity.

22 (4) Be in the frontline of the delivery of basic agricultural services,
23 particularly those needed for the survival of the inhabitants during and in the
24 aftermath of man-made and natural disasters and calamities;

25 (5) Recommend to the sangguniang panlungsod and advise the city
26 mayor on all other matters related to agriculture and aquaculture which will
27 improve the livelihood and living conditions of the inhabitants; and

1 and their spiritual and physical well-being are properly and promptly attended
2 to.

3 SEC. 50. *The City School Division.* – (a) There shall be established
4 and maintained by the DepEd a city school division of the City of Tayabas
5 whose area of jurisdiction will cover all the school districts within the City.

6 (b) The city school division shall be headed by a division
7 superintendent who must possess the necessary qualifications required by the
8 DepEd.

9 SEC. 51. *The City Prosecution Service.* – (a) There shall be
10 established in the City a prosecution service to be headed by a city prosecutor
11 and such number of assistant prosecutors as may be necessary, who shall be
12 organizationally part of the Department of Justice (DOJ), and under the
13 supervision and control of the Secretary of Justice and whose qualifications,
14 manner of appointment, rank, salary and benefits shall be governed by existing
15 laws covering prosecutors in the DOJ.

16 (b) The city prosecutor shall handle the criminal prosecution in the
17 municipal trial courts in the City as well as in the regional trial courts for
18 criminal cases originating in the territory of the City, and shall render to or for
19 the City such services as are required by law, ordinance or regulation of the
20 DOJ.

21 The Secretary of Justice shall always ensure the adequacy and quality of
22 prosecution service in the City and for this purpose, shall, in the absence or
23 lack or insufficiency in number of city assistant prosecutors as provided
24 hereinabove, designate from among the assistant provincial prosecutors a
25 sufficient number to perform and discharge the functions of the city
26 prosecution service as provided hereinabove.

ARTICLE X

TRANSITORY AND FINAL PROVISIONS

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3 *SEC. 52. Municipal Ordinances Existing at the Time of the Approval of*
4 *this Act.* – All municipal ordinances of the Municipality of Tayabas existing at
5 the time of the approval of this Act shall continue to be in force within the City
6 of Tayabas until the sangguniang panlungsod ordinance shall provide
7 otherwise.

8 *SEC. 53. Plebiscite.* – The City of Tayabas shall acquire corporate
9 existence upon the ratification of its creation by a majority of the votes cast by
10 the qualified voters in a plebiscite to be conducted in the present Municipality
11 of Tayabas within thirty (30) days from the approval of this Act. The expenses
12 for such plebiscite shall be borne by the Municipality of Tayabas. The
13 Commission on Elections shall conduct and supervise such plebiscite.

14 *SEC. 54. Officials of the City of Tayabas.* – The present elective
15 officials of the Municipality of Tayabas shall continue to exercise their powers
16 and functions until such time that a new election is held and the duly-elected
17 officials shall have already qualified and assumed their offices. The
18 appointive officials and employees of the City shall likewise continue
19 exercising their functions and duties and they shall be automatically
20 absorbed by the City Government of the City of Tayabas.

21 *SEC. 55. Succession Clause.* – The City of Tayabas shall succeed to all
22 the assets, properties, liabilities and obligations of the Municipality of
23 Tayabas.

24 *SEC. 56. Election of Provincial Governor and Sangguniang*
25 *Panlalawigan Members of the Province of Quezon.* – The qualified voters of
26 the City of Tayabas shall be qualified to vote and run for any elective position

1 in the elections for provincial governor, provincial vicegovernor, sangguniang
2 panlalawigan members and other elective officers for the Province of Quezon.

3 SEC. 57. *Jurisdiction of the Province of Quezon.* – The City of Tayabas
4 shall, unless otherwise provided by law, continue to be under the jurisdiction
5 of the Province of Quezon.

6 SEC. 58. *Suspension of Increase in Rates of Local Taxes.* – No increase
7 in the rates of local taxes shall be imposed by the City within the period of five
8 years from its acquisition of corporate existence.

9 SEC. 59. *Representative District.* – Until otherwise provided by law, the
10 City of Tayabas shall continue to be a part of the First Congressional District
11 of the Province of Quezon.

12 SEC. 60. *Limitation.* – Within three years from the approval of this Act,
13 no new race track, jai-alai fronton, gambling casino or cockpit shall be
14 licensed or allowed to operate in the City.

15 SEC. 61. *Reservation.* – Nothing herein contained shall preclude the
16 determination by the appropriate agency or forum of boundary disputes or
17 cases involving questions of territorial jurisdiction between the City of
18 Tayabas and any of the adjoining local government units even after the
19 effectivity of this Act.

20 SEC. 62. *Applicability of Laws.* – The provisions of Republic Act No.
21 7160, otherwise known as the Local Government Code of 1991, and other laws
22 pertaining to the Province of Quezon and such laws as are applicable to cities
23 shall govern the City of Tayabas insofar as they are not inconsistent with the
24 provisions of this Act.

25 SEC. 63. *Exemption from Republic Act No. 9009.* – The City of Tayabas
26 shall be exempted from the income requirement prescribed under Republic Act
27 No. 9009.

1 SEC. 64. *Separability Clause.* – If, for any reason or reasons, any part or
2 provisions of this Charter shall be held unconstitutional, invalid or inconsistent
3 with the Local Government Code of 1991, other parts or provisions hereof
4 which are not affected thereby shall continue to be in full force and effect.
5 Moreover, in cases where this Charter is silent or unclear, the pertinent
6 provisions of the Local Government Code shall govern, if so provided therein.

7 SEC. 65. *Effectivity.* – This Act shall take fifteen (15) days after its
8 complete publication in at least two newspapers of general and local
9 circulations.

Approved,

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